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ABSTRACT

A House of Representatives committee received testimony on programs for migrant children and for neglected and delinquent youth in the context of reauthorization of the Elementary and Secondary Education Act, Title I, Parts C and D, respectively. The director of the U.S. Office of Migrant Education explained changes in the reauthorization, including changes in funding formulas for state migrant programs, provisions covering interstate transfer of student records, and incentives for state consortia. A college student spoke of his experiences with the Migrant Education Program and related programs. Representatives of state programs and national migrant organizations discussed a home-based family literacy program in Pennsylvania; changes to federal legislation; Kentucky efforts to hold delinquent students in state programs to high standards and provide transition services after their release; and migrant education issues related to parent participation, data collection, records transfer, language of instruction, and interstate coordination. Appendices contain written statements, including a report by the Office of Migrant Education on what the Migrant Education Program does, its current status, recent innovations such as technology use, and proposed reauthorization changes; "A Comprehensive Plan for the Education of America's Migrant Children," prepared by three national migrant organizations; and "The Value of Migrant Education" (fact sheets and recommendations), by the Interstate Migrant Education Council. (SV)

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ED 463 912

RC

HELPING MIGRANT, NEGLECTED, AND DELINQUENT CHILDREN SUCCEED IN SCHOOL

HEARING

BEFORE THE

COMMITTEE ON EDUCATION AND THE WORKFORCE HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

HEARING HELD IN WASHINGTON, DC, JULY 22, 1999

Serial No. 106–61

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HELPING MIGRANT, NEGLECTED, AND

DELINQUENT CHILDREN SUCCEED IN SCHOOL

THURSDAY, JULY 22, 1999

HOUSE OF REPRESENTATIVES,

COMMITTEE ON EDUCATION AND THE WORKFORCE,

WASHINGTON, D.C.

The Committee met, pursuant to call, at 11:15 a.m., in Room 2175, Rayburn House Office Building, Hon. William F. Goodling [Chairman of the Committee] Presiding.

Present: Representatives Goodling, Petri, Isakson, Owens, Payne, Romero-Barcelo, Fattah, Hinojosa, Kucinich, and Holt.

Staff Present: Linda Castleman, Office Manager; Krisanne Pearce, Professional Staff Member; Michael Reynard, Media Assistant; Lynn Selmser, Professional Staff Member; Rich Stombres, Professional Staff Member; Shane Wright, Legislative Assistant; Dan Lara, Press Secretary; Gail Weiss, Minority Staff Director; June Harris, Minority Education Coordinator; Marshall Grigsby, Minority Senior Legislative Associate/Education; Alex Nock, Minority Legislative Associate/Education; and Roxana Folescu, Minority Staff Assistant/Education.

OPENING STATEMENT OF CHAIRMAN WILLIAM GOODLING, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC

Chairman Goodling. The Committee will come to order.

Today's hearing will focus on some of the neediest children in the country, migrant children and children in correctional institutions. As one who was reared on the farm, I came to understand early the importance of migrant workers to the agriculture community. Without the assistance of these hard-working individuals, crops would not be harvested and farmers and other related industries would suffer.

Later as an educator, I saw firsthand the impact of migration on the children of migrant farm workers, because these children generally left school before the end of the school year to travel with their parents and return to their home school after the next academic year was underway. They were often unable to complete their course work or remain on an equal footing with their peers. As a result, dropout rates for this population were extremely high. The advent of the Title I program for the children of migratory workers brought about major reforms in education programs serving this population.

For example, programs were developed to provide services to students during the summer months. These services enabled many students to be promoted to the next grade. While the Title I migrant program has brought about an increase in graduation rates for migrant students, these numbers are still unacceptably low.

Over the years I have worked in a bipartisan manner to make further improvements to programs serving migrant children. My friend, and former chairman of the Committee Bill Ford, and I spent many hours developing the reforms enacted during the 103rd Congress. Like me, Chairman Ford felt this population of students was in great need of assistance.

I look forward to hearing how our witnesses believe programs serving migrant children can be modified to make them more effective. I am interested to hear from Peggy Reimann, who works with a family literacy program for migrant families in my own home State of Pennsylvania.

I personally feel that family literacy may be one of the best ways of serving our Nation's migrant families and I will be interested in hearing how Ms. Reimann's program works with children and their parents in an effort to improve their literacy skills.

Another program that we will be hearing about today is the Title I program for neglected and delinquent youth. Again, we have a population in great need of assistance. Large portions of delinquent children drop out of school, many because of poor academic performance. We cannot afford to lose this population. If we do not help them, their choices are limited to low-paying jobs or continued involvement in criminal activities. We are most interested in learning how we can help raise academic achievement among delinquent youth and provide them with the skills they need to succeed in school.

As I stated at the beginning of my remarks, these are two of the neediest populations of students in our country and I am very interested in hearing how we can improve these important Title I programs, ensure a bright future for participating children and youth, and I look forward to today's testimony.

WRITTEN OPENING STATEMENT OF CHAIRMAN WILLIAM GOODLING, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC – SEE APPENDIX A

Mr. Fattah. Thank you, Mr. Chairman. I would like to just thank the chairman for convening this hearing. I think that this is an area which the chairman is well aware oftentimes there is not enough focus on issues related to both the education of migrant children and also focusing, as many of my family have for a long time, on the question of

delinquent children and how it is that they access the full range of educational services that they need so that perhaps they can proceed on a more straighter path to a productive life.

So I want to thank the chairman for convening this hearing. I look forward to hearing from the witnesses.

Chairman Goodling. Thank you. Mr. Petri.

Mr. Petri. No opening statement, thank you, Mr. Chairman.

Chairman Goodling. Mr. Isakson.

Mr. Isakson. No.

Chairman Goodling. The light system is a 5-minute system. And if you can summarize as much as possible, that will give the members an opportunity to ask questions. The green light is go. The yellow light is slow. And the red light is stop, as soon as you can after the light turns red. We don't get too excited, unless you go too long.

Let me introduce the witnesses today. We have Mr. Francisco Garcia, the Director of the Office of Migrant Education at the U.S. Department of Education in Washington, D.C. Mr. Garcia has over 30 years of experience with Federal program management and has also served as a consultant, contractor, and teacher. Mr. Oscar Guzman -- and I was wondering are you related to the pitcher for the Baltimore Orioles.

Mr. Guzman. No.

Chairman Goodling. You could get us some free passes or something. He is a student at California State University in Sacramento. Mr. Guzman received assistance through the Migrant Education Program during high school, as well as participated in migrant programs during elementary school.

Margaret Reimann is the Student Support Specialist with the Migrant Child Development Project, at the Western Regional Office of the Pennsylvania Migrant Education Program in Bedford, Pennsylvania. Ms. Reimann has extensive education experience, has spent the last 20 years developing and implementing family centered education programs.

Mr. John Perry is the Executive Director of the Interstate Migrant Education Council, IMEC, in Washington, D.C. IMEC is a bipartisan group, including educators, legislators and parents from 17 states, who work to ensure that the needs of migrant students are met. Bill Ford and I met with John on many, many occasions, and Mr. Kildee since Bill Ford has retired.

Mr. Dale Niswonger is the Education Administration Program Consultant for the Kentucky Department of Education in Frankfurt, Kentucky. In addition to his extensive work at the state level, he has served as a high school English teacher, and he is most notably known for this building and this room as being from Hindman, Kentucky, or his wife, I forget which.

Mr. Niswonger. My wife.

Chairman Goodling. And of course the gentleman in the middle on the portrait behind you is Mr. Hindman, Kentucky.

And so with that, we will begin with Mr. Francisco Garcia.

STATEMENT OF MR. FRANCISCO GARCIA, DIRECTOR, OFFICE OF MIGRANT EDUCATION, U.S. DEPARTMENT OF EDUCATION, WASHINGTON, DC

Mr. Garcia. Good morning. I wish to thank you, Mr. Chairman, and the committee for the opportunity to testify today in your hearing on helping migrant and neglected or delinquent children to succeed in school. As a former migrant worker and now the Director of the U.S. Department of Education's Office of Migrant Education, I believe that the best thing the Federal Government can do to help migrant children to succeed in school is to reauthorize, with improvements proposed in the administration's reauthorization bill, Title I, part C, of ESEA, the Migrant Education Program, MEP.

The administration's proposal proposes a number of improvements to continue the MEP's commitment to high standards, simplify the funding formula, streamline and improve program planning and implementation and improve interstate coordination activities. As you know, the MEP first authorized in 1966 is a formula grant program that enables States to offer supplemental and educational services to help the children of migrant agriculture workers and fishers meet the challenging State content and student performance standards.

In many ways, the movement of migrant children across local and State boundaries, a movement connected to the production of food distributed in interstate commerce, provides a classic rationale for Federal program support. Before Federal legislation support, the school districts were unlikely to: one, provide the normal range of services to children who attend their schools for brief periods of time; two, find and enroll migrant children outside of normal school enrollment procedures or; three, address the school interruption problems faced by migrant children or their needs for special summer programs.

Migrant children are extremely disadvantaged economically and educationally. Over 80 percent are Hispanic. The combined effects of poverty, mobility and limited English proficiency characteristic of the migrant student population requires educational services, in addition to those traditionally provided through State and local education budgets.

The migrant program has significant costs not usually covered by local educational programs. Many migrant parents and youth are reluctant to come to school. This is largely because of long and exhausting working hours, a reluctance to deal with often unsympathetic local authorities, a need to have children help out economically and in many cases limited English proficiency. For these reasons, the migrant staff must proactively seek out migrant families, either at the residences, or often in migrant labor

camp or processing plants in rural areas, in order to determine a child's program eligibility and to convince the child and parents of the benefits of participation in the school and the MEP.

The MEP supports supplementary instruction in core academic subjects often provided outside of the regular school day and in the summer and as necessary support service such as transportation, food, clothing and health services. It does so using the multitude of innovative services and service delivery approaches, such as summer programs, that extend learning time for migrant children, such as evening classes, summer programs, and programs to travel with children and their family, programs for older migrant children who lack sufficient credit to graduate, and those who drop out of school, the use of technology to enhance learning for migrant children, collaboration with agri business to enhance educational services to migrant children and their families, attention to standards and assessments for migrant children, and coordinating with other programs and serving as advocates for the inclusion of migrant in other educational and support programs.

With regard to reauthorization, we believe that the current MEP is working well and requires only some fine tuning of the legislative language. Reflecting discussions with major interest groups, State and local MEP staff, and migrant parents and children, the main components of the administration's MEP proposal are to continue the MEP's commitment to high standards by requiring the State's application to describe how the State will encourage migratory children to participate in State assessments required under part A of Title I, simplifying the funding formula by replacing the provisions relating to the count of migratory children, which are currently based on estimates and full time equivalents, FTE, of these children.

These provisions are ambiguous and require either a burdensome collection of data or the continued use of increasingly dated FTE adjustment factors based on 1994 data.

We propose to base a State's count on the number of eligibility children, aged 3 through 21, residing in the State in the previous year, plus a number of those children who receive services under the program in summer or inter-session programs provided by the State.

We want to establish minimums and maximums for annual State allocations. No State would be allocated more than 120 percent or less than 80 percent of its allocation for the previous year except that each date would be allocated at least $200,000. We want to streamline and improve planning programs and implementation by repealing the requirement for a comprehensive service delivery plan that is separate from the State's application for funds and instead requiring the State's application to address certain issues that are now required to be in its comprehensive needs assessment plan but not in the application and by strengthening program requirements relating to the involvement of parents and parent advisory councils.

We want to improve interstate coordination activities by removing obsolete provisions relating to the report to Congress on the transfer of student records. Other language authorizing the Secretary to assist States in implementing timely records transferred would be retained.

Amend the authority for incentive grants to States that form consortia to improve the delivery of services to migratory children whose education is interrupted.

In closing, I want to thank you for the opportunity to testify. I will be happy to answer any questions you may have about the Migrant Education Program or the administration's proposal to reauthorize it.

[The statement of Mr. Garcia follows:]

WRITTEN STATEMENT OF MR. FRANCISCO GARCIA, DIRECTOR, OFFICE OF MIGRANT EDUCATION, U.S. DEPARTMENT OF EDUCATION, WASHINGTON, DC – SEE APPENDIX B

Chairman Goodling. Mr. Guzman.

STATEMENT OF MR. OSCAR GUZMAN, STUDENT, CALIFORNIA State UNIVERSITY, SACRAMENTO, CA

Mr. Guzman. Good morning. My name is Oscar Guzman. I would like to thank the Chairman and the Members of the Subcommittee for the opportunity to present this testimony in support of Federal education programs for migrant children.

I am pleased to speak to you on behalf of the National Association of Migrant Education, representing educators and parents serving migrant children and their families throughout the United States and Puerto Rico. Without these programs, it would not be possible for me to be here in Washington, D.C. Today.

I was born in Mexico in 1979 and my family came to live permanently in California shortly after. I have one younger brother. I just finished my freshman year at California State University, Sacramento with the help of the college assistance migrant program.

My father stopped going to school at the age of 13, when he completed primary school in Mexico. My mother started when she was 17, would come to California each May to work in the fields with her father and sister. She would stay until the season ended in November and would return to Mexico to take care of her 12 brothers and sisters. During her stays in California from Mexico, my mother would enroll in high school through the Migrant Education Program.

My mother completed secondary school in Mexico, which made her a high school junior in this country. Unfortunately, she was unable to graduate because my grandmother died 2 months before the end of her senior year, and she had to return to Mexico to take care of her brothers and sisters. My mother always tells us that education is the number one thing in this country today. She does not want us to have a life of a field worker.

The first education I can remember is being in the migrant Head Start program. My mother was working for a small farmer growing lettuce, tomatoes, melons when a migrant Head Start recruiter contacted her at work and told her about the program. She was delighted to hear about this program, because she would not have to take me to the fields all day.

When I was not in school, I went to the fields with my mother. By the time I was 9, I was working helping my mother with carrying boxes or weeding the fields. I was paid in popsicles. I liked school and I was doing well. Then my uncle passed away, all of my family left to Mexico. I spent part of third grade and the beginning of fourth grade at school in Mexico.

By the time I came back from Mexico my English was kind of sketchy, but my math was great, more advanced than my fourth grade class. My teachers helped me with my English as much as they could. Soon my parents moved because of work and I changed schools. At my new school, I was identified for the Migrant Education Program. The teacher who was in charge of my class helped my mother with all of the paperwork and records transfers.

He also arranged for a health checkup for me, which I continued to get every year through the eighth grade. The Migrant Education Program had a special reading program for migrant students, which helped me with my English. Education was very important to both of my parents, they wanted a better life for me and my brother. Both my brother and I have had dedicated teachers that keep in touch with us and encouraged us to you can succeed in life. However, work has been an important and necessary, too. And I have struggled to balance work and school.

Throughout my junior high school and high school, I worked after school, weekends and summers cutting lettuce, carrying boxes, driving trucks, tractors and irrigating fields. Once I was 13, I was responsible for my clothes and luxuries, such as entertainment and gifts for families and friends and helping with some of the family expenses. I also took care of my younger brother's clothes and luxuries. My parents always encouraged me to pay more attention to school and so did my MEP teacher, Mr. Buse. I tried, but sometimes it was hard.

In high school, I really did not give much thought of going to college. I cared more about getting a full-time job. I didn't think that I would make it in college. I left high school without taking the SATs or applying to the university. I got a job at a printing press where I worked midnight shifts 12 hours a day, 4 days per week. The things I saw and felt made me realize that money isn't everything in life, that you have to be happy at your job.

I knew then that I needed to go to college. I applied to a junior college, I was accepted. But then my friends and family started telling me about life at the university. I met current students in the CAMP program and they encouraged me to apply, so I did.

I am the first person in my family to go to college. My parents are very proud of my decision to go to college and expect me to go far. My dad always tells me that I am going to work in an air conditioned office with a secretary, and my aunts and uncles are also very proud of me and they use me as an example for the rest of my cousins. I hope to be in a position where I can make a difference in education and agriculture in order to

improve the lives of families like my own.

I would not be here today if it were not for the Migrant Education Program in fifth grade that put me on a path of academic achievement, and the other migrant programs that helped me succeed. Because of these programs, my life was made easier and my parents' dreams of a better life for me and my brother will come true.

As you reauthorize the Elementary and Secondary Education Act, I urge you to continue and even strengthen the Migrant Education Program for future generations. NAME along with the National Association of State Directors of Migrant Education have developed a comprehensive set of recommendations for reauthorization which have been included with my written testimony.

Thank you for the invitation to testify. I would be pleased to respond to any questions you might have about my oral testimony. NAME would be pleased to respond in writing to any questions about the reauthorization recommendations.

Thank you.

[The statement of Mr. Guzman follows:]

WRITTEN STATEMENT OF MR. OSCAR GUZMAN, STUDENT, CALIFORNIA STATE UNIVERSITY, SACRAMENTO, CA – SEE APPENDIX C

STATEMENT OF MS. MARGARET REIMANN, STUDENT SUPPORT SPECIALIST, MIGRANT CHILD DEVELOPMENT PROJECT, WESTERN REGIONAL OFFICE, PENNSYLVANIA MIGRANT EDUCATION, BEDFORD, PA

Ms. Reimann. I am here today as a representative of Pennsylvania Migrant Education, but I would also like to speak to you on a more personal note. As Mr. Goodling said, I have spent the last 20 years looking at the whole field of family centered education programs. The real focus of my interest has been the development of curriculum and teaching techniques that can be used in home with children, and often by the parents themselves with their own children.

About 10 years ago, I came to migrant education, and I have to tell you that I really found the perfect place for someone who has my kinds of interests. Where else in this day and age would you find a community of people where family ties are perhaps the most important ties that exist?

This is a community, for example, where you have true intact, strong nuclear families, with working fathers and often working mothers, not to mention aunts and uncles and cousins and you name it. This has been brought home to me many times. I live in an area where in the fall apple pickers come to pick apples, particularly young men, between the ages of about 17 and 21 or 22.

And the tradition has developed that Sunday evenings I make my telephone available to them to be able to come down and call home. So I often have maybe 10, 15, 20 of these boys, and to me they are boys, sitting around my living room spending their evening trying to reach their mothers in Mexico. And I have to tell you that as a mother myself of a young person who is far from home, it does my heart good to see these boys. They have got money in their pockets, and what are they doing, they are spending the whole evening trying to track down their mothers to tell them they are okay or even to find out whether the money they sent home has actually arrived.

This is a little reversal from the usual tradition in this country, which is that we are sending money to our children, rather than having money sent to them. So this really is a very different kind of community from what we are used to in this country. There is another characteristic that has been for me inspiring really almost, which is the true belief on the part of these people, that if they work hard enough they will get ahead, and that if they work hard enough and they pay attention to their children, it doesn't matter how difficult their lives are, the point is for their children to stand on the shoulders of their parents.

This is a kind of an old-fashioned idea in this country, perhaps one of the ones that this country was founded on, but it is alive and well in the migrant community.

So the question for me has been how to harness these strengths and use them in a family centered education program. And I would like to spend the rest of my time telling you a little bit about this program.

The first part of our program we call the book exchange. We distribute probably to families as soon as we meet them between 3- and 4,000 used children's books in a year and magazines. Every tutor, every person in our program carries big boxes of books, and if you went into the homes of our children, you might find almost no furniture, you may or may not find a television, but what you would see is books scattered all over the house, boxes of books, books on the kitchen table, even books on the floor.

When children leave our area or when they are too far away for us to visit them often, we mail books to our children. We mail books every month to over 65 families at a proximal cost of a dollar a package. These books are, of course, welcomed. We have been doing this for years and it is probably the most successful part of our program.

We then move on to a training program for parents, which perhaps 65 percent of our parents participate in them. We teach them one teaching technique and we have a curriculum which can be used by any parent, even those who don't speak English and those who are themselves illiterate, so that we show our parents how to work with their own children.

The final part of our program is what you might call the low technology approach to long-distance learning, the telephone. We have an educational hotline where parents can call us, children can call at any time of the day or night. Even just in the last two month, I received phone calls asking for help with algebra homework, asking for help with a child who was expelled from school. Both of those calls are from people who were in our program previously and who are no longer in our program.

I got a call from North Carolina asking me to contact a teacher discussing homework and a call from Kansas from a parent who had been first dubious about our program because he could not read to tell me that his child is now first in his class and reading.

Let me just speak for a moment then on the whole question of impact of a network of the services like this on children's academic achievement. I am collecting grades and test scores for our children. And if I get the chance to come back here in 5 years, I will be able to give you some very good hard data.

In the meantime, I will take the example, we have about 35 children who are themselves in one small town, all of them from central American families and all of them from Spanish speaking homes, and they have been in the school district for 3 years. At the end of 3 years, we can say that no child has been left back, that only two children are in the special education system, and that in the last crop of kindergartens who have been in our program for several years, more than half are either in the middle of their class or above it. So I think that is a good sign.

Finally, I want to tell you that a program like this is extremely cost effective. We spend perhaps $500 a year per child to provide these kinds of services and I think what I want to say to you, the impression I really want to leave you with is the strength of home based program. There is a kind of a deep learning that takes place for children when they learn in home, taught by their parents, or at least tutored, that I think means that any in-home -- when you think about the education of the next century, what it should be like, that the question of working in-home with children and training parents ought to be a very important part of any blueprint for the future education in this country.

Thank you.

[The statement of Ms. Reimann follows:]

WRITTEN STATEMENT OF MS. MARGARET REIMANN, STUDENT SUPPORT SPECIALIST, MIGRANT CHILD DEVELOPMENT PROJECT, WESTERN REGIONAL OFFICE, PENNSYLVANIA MIGRANT EDUCATION, BEDFORD, PA – SEE APPENDIX D

Chairman Goodling. Jack.

STATEMENT OF MR. JACK PERRY, INTERSTATE MIGRANT EDUCATION COUNCIL, WASHINGTON, DC

Mr. Perry. Thank you, Mr. Chairman. And I would like to say good morning to Rubin Hinojosa who served on IMEC many years ago. We have had some interesting times together, and Major Owens, a former colleague of mine from the New York State Senate. I might say that over my career of some 40 years now, professionally I have had three types of jobs. I served in public office for many years. But being associated with the Migrant Education Program, with all due respect, has been the most meaningful part of

my professional career, because of the experiences that I have seen that are very similar to what have been expressed here.

Mr. Chairman, you described the Interstate Migrant Education Council. I would just note that we have the good fortune that Bill Goodling is the national honorary chair of IMEC, as Mr. Ford was when he was Chair of this Committee.

During the last 3 years, IMEC has examined the implementation of IASA and how it has affected the education of migrant students. In January of 1997, we had a national forum; Mr. Goodling spoke at that forum. At that time, you encouraged us to provide your recommendations on what works and what needs to be improved in IASA. The written testimony I have enclosed are the positions IMEC has taken.

So this has really been a grass roots effort of many, many people over 3 years to consider all of the aspects of IASA. The recommendations are in the form of a series of fact sheets which summarize the background of each issue and our recommendations. I have also submitted today to the chairman specific statutory language to amend the current law.

A very strong recommendation we make that is not a change in the Federal statute is that migrant education should remain a Federal categorical program administered by State agencies. Migrant students are truly the Nation's students, as Francisco has described, and many times local school districts really don't feel that they are their responsibility.

Under the aegis of the Federal Government, State and local Migrant Education Program personnel have developed means of interstate cooperation to serve migrants. Without the Federal Government, these cooperative efforts would be diminished, it would be very difficult to States to deal with each other.

The program provides flexibility. Through State administration there is flexibility to meet the changing needs of migrant students and communities in the State. States are able on an annual basis to determine the number of students and the location of students most in need of services so that financial and technical resources may be provided.

This topic incidentally is discussed in greater detail in the first fact sheet. In a more general sense, as IMEC has examined IASA we have come to the conclusion that it is good legislation, if not very good legislation.

The provisions pertaining to flexibility, coordination, high academic standards should benefit migrant students in the long run. Prior to IASA, migrant students were excluded from many programs in schools. The new law requires inclusion; however, much work needs to be done before inclusion of migrant students becomes a universal reality.

We do not propose major changes in the law. We do not want migrant education to be isolated from other programs or have any situation that perpetuates discrimination against migrant students, which has happened in the past, or creates any barriers to full access to services within the school.

Concurrently, we want to ensure that when educators, especially those who are not migrant educators are designing and implementing general programs, the needs of migrant students are met. That is really the crux of what we are saying. We would like to have it identified in all levels of planning from the State consolidated planning, local planning, and schoolwide planning, that the needs of migrant students are specifically met; therefore the changes that we propose are really to adjust the balance between flexibility and the unique needs of migrant students.

We have listed 10 changes and they have been backed up with detail. I will just quickly review them for you. On the consolidated planning basis, we would like to make sure that all of the program directors who are involved in consolidated planning in the State level are actually involved in the plan.

On schoolwide projects we would like to see the needs of a migrant student identified in the application and the strategies to fulfill those needs identified in the application of schoolwide projects.

Transfer of records. In general, the Federal Government has left this to the States over the last few years, and it hasn't worked too well and what we are advocating is that the Congress establish in law to require the Secretary of Education to establish minimal data elements for the timely transfer of student records whenever Federal funds are used for this purpose.

Data collection. Congress has left to the States to do pretty much as they wish on data collection. But we tried to find out how well migrant students are achieving, and it is very difficult, there is no solid data. And essentially if you want data, you have to tell people to do it. And so we are recommending that when States develop standards and assessment systems, they be required to include evaluation of programs and services for migrants, also that State and local assessments must have test data disaggregated for migrant students.

To improve student achievement, we believe that there has to be a more active family involvement. Under part C of the law, we support the administration's proposal in this regard, and we believe it fulfills our recommendations that are listed here.

Family literacy, Peggy has talked about this. I hope that Mr. Goodling and the staff can design this law to highlight to a greater extent the needs for family literacy through part C and as it relates to the Reading Excellence Act and even START.

We are proposing, because family literacy and even START type of programs take so much coordination efforts with other areas of State government and the Federal Government, that money be designated for each State Department over a short period of time, 2 or 3 years, to develop coordination efforts.

On technology, we would propose that every State be able to obtain grants on technology, rather than having them done as they are now done on a competitive basis.

Technical assistance. I may just dwell on this, even though I see the red light on. Before IASA, there were specific programs for Federal technical assistance to migrant programs that met the demographic needs of the migrant population, large States in the South, receiving States, those were eliminated during IASA, developed regional

comprehensive centers that worked somewhat well in some areas, but not perfectly.

Now in this proposed law of the administration, there is supposed to be some type of comprehensive centers for special populations. We would strongly encourage, because the migrant population is so unique, that there be one center for the migrant population.

On the coordination issue, it is a very complex issue.Our fact sheet develops this in great detail. I would conclude by saying as far as the formula is concerned, at much debate of all of the States of the Interstate Migrant Education Council, we essentially support the administration's proposal on the formula.

Thank you.

[The statement of Mr. Perry follows:]

WRITTEN STATEMENT OF MR. JACK PERRY, INTERSTATE MIGRANT EDUCATION COUNCIL, WASHINGTON, DC – SEE APPENDIX E

Chairman Goodling. Thank you. Mr. Niswonger.

STATEMENT OF MR. DALE NISWONGER, CONSULTANT, NEGLECTED/DELINQUENT PROGRAM, KENTUCKY DEPARTMENT OF EDUCATION, FRANKFURT, KY

Mr. Niswonger. Thank you, Mr. Chairman. I appreciate the invitation to get to come before this Committee today to share with you and the members of the committee some of the good things that are happening with the Title I, part D programs in Kentucky. We will be shifting directions. We talked about part C for the last half hour or so with our distinguished panel. We will be shifting now, talking about part D, which deals with neglected and delinquent youth.

My name is Dale Niswonger. I work for the Kentucky Department of Education in Frankfurt, and for the last couple of years I have worked with the part D program.

Kentucky has experienced considerable success with its Title I, part D programs. The Kentucky General Assembly in 1990 enacted the Kentucky Education Reform Act, which brought about sweeping reforms. And one of the basic premises or cornerstones of the Kentucky Education Reform Act of 1990 was that all students could learn at all levels. And we in Federally funded programs have embraced that philosophy, and we are no exception to it, and we believe that our migrant children and our delinquent and neglected youth can also learn at high levels.

The Kentucky General Assembly also enacted some legislation to form a statewide collaborative for State agency children to ensure that neglected and delinquent youth were held to the same State standards as well as all students. Neglected and

delinquent students who receive services under Title I, part D are included in the Commonwealth Accountability Testing System, also known as CATS.

Because I am limited to just 5 minutes today, I will not address subpart 2, unless the committee has some questions. I would like to focus my attention on subpart 1 of part D. There are two portions to our subpart 1 program, as most States have. Number one, we have the first section that deals with those under the age of 18 in either public school settings who attend day treatment programs or those who are assigned to a residential facility like a juvenile detention facility, and then the other segment, of course, are those under the age of 21 who are in adult correctional facilities.

And when you add both of those programs together, we have a total of subpart 1 students in Kentucky last year of 1,640 students. The Kentucky Department of Education has done several things to try to enhance the effectiveness of the subpart 1 program in our State.

Let me mention those five things to you very briefly. Number one, we have high expectations for those students. The Department of Education in Kentucky has not excluded those students, we don't write them out in the IEPs. If they haven an IEP, we expect them to take the accountability test in Kentucky like all other students. And Kentucky also requires the State agency students be held to the same challenging State content standards.

Not only do we have high expectations, but number two, we have what we think is somewhat of an effective transition program. Obviously subpart 1 is not funded to the extent that we can do all we want to do to address the needs of these delinquent youth. But after a student completes a subpart 1 program, whether it is a day treatment, whether it is a residential facility, transition, I think, is the single most important component to the future success of that student.

And to address the important issue of transition, Kentucky has developed what we call an educational passport, a residential facility. When a student is going to be transitioned back to the school of origin, they fill out the single page document, and it is sent ahead of that student, that way that school has a heads up if that student is coming back, they have a designated person, many times the school counselor, but not always, who serves as what we call a bridge coordinator, who bridges the gap between that institutionalized setting and the school of origin.

That bridge coordinator then when the student comes back, so many times when these kids are dismissed from a program sometimes 1, 2, 3, 4, weeks pass before they get enrolled in school, and again that usually sets them up for failure. So the bridge coordinator, when they get the notification that that student is coming back, they either contact the student, and meet him at home or make provisions for that student to be enrolled within 2 or 3 days so there is not that large gap between the time they are dismissed from the program and until they are transitioned back to the public school.

We have had a lot of success with that program. We have had some pilot programs, but we need to continue to do that, but of course that is going to take funding.

The third thing that we have done in Kentucky to enhance our Title I, part D, subpart 1 program is increase collaboration. As I mentioned to you earlier, we passed

some legislation to form the Kentucky Educational Collaborative for State Agency Children, also called KECSAC, and all the stakeholders are involved in the success of subpart 1 students. The treatment staff, sometimes it has been a shotgun wedding but we make them meet with the educational staff to help make an individual plan of instruction for those students.

We also, the State agency is closely involved with the program development and evaluation, and then parents are also notified of student progress, they are encouraged to participate. And obviously when parents are involved, the success of those students are much higher. And then of course the school of origin is also an important stakeholder in that process.

The fourth thing that we have done in Kentucky is professional development. Kentucky tries to be proactive in its efforts to retool the educational staff that works with subpart 1 students. The SEA in collaboration with our State collaborative, develops an annual professional development schedule to address those areas. Workshops are provided for teachers. We find obviously we need the best teachers for these kids that have had delinquent pasts, and we don't like to see them sitting in rows and handed worksheets, we want to see engaged instruction. We want to see experiential learning taking place.

And the last thing of course that we are doing in Kentucky is that we are working on LEA acceptance of troubled students. Many times, when these kids leave a treatment facility, when they go back to the school of origin, the teacher doesn't want them back. The principal doesn't want them back, and so many times, we have found they have set these kids up for failure. And so we are trying to work to educate the LEAs in making sure that we have an environment that is going to be receptive to those students when they come back to the school.

One recommendation we would like to suggest for this committee to consider. Presently, as you know, an annual count is made of our subpart 1 programs, and they pick a date in time and all programs have to use that date to do their count. I know why you do that, because you want an unduplicated count, that makes sense. Unfortunately, the 38 programs we operate in Kentucky, sometimes 3, 4, 5 of those programs, the date that we choose happens to be a very low date for enrollment.

We would like to suggest maybe picking three dates that all of the programs would use and then take that count and average it and that way all the programs can be funded on a more fairer basis.

Thank you very much, Mr. Chairman. We are open to any questions you might have.

[The statement of Mr. Niswonger follows:]

WRITTEN STATEMENT OF MR. DALE NISWONGER, CONSULTANT, NEGLECTED/DELINQUENT PROGRAM, KENTUCKY DEPARTMENT OF EDUCATION, FRANKFURT, KY – SEE APPENDIX F

Chairman Goodling. Thank you. Thank all of you. Mr. Isakson has to make a quick exit for a while, so I will call on him at this point to take the first part of my questioning.

Mr. Isakson. Thank you for yielding. I just wanted to make a comment based on the experience with regard to Mr. Garcia's testimony on the formula. I concur that the use of FTE with regard to migratory students is at best flawed and extremely difficult in paperwork. And I don't disagree in doubling waiting it if there are summer programs with those students, because that is a good program.

I would suggest, though, if you are going to recommend a specific formula, the way your testimony reads it reads summer programs provided by the State. My experience with regard to migratory children is they are generally regionally specific, not Statewide specific, tied either to agriculture, poultry processing, the carpet industry or something else where the jobs end up bringing the families.

And maybe your testimony means this, but just to be quite clear, count those students for programs provided by the State or provided by local Board of Education. We have two situations in Georgia, of which I am familiar, where programs are fully funded at the local level dealing with migratory students because of the tremendous burden those students placed on the system and they became proactive to create programs themselves.

I would want to be sure that a local systems program, although it may not be a State sanction or even a State-funded program, be able to be counted as well because those inter-session programs are tremendous in helping aid those students when they immediately come to a community. That's my only comment, Mr. Chairman.

Chairman Goodling. I would ask Mr. Garcia a couple of questions quickly. First of all, as these children move, it has always been a problem as to when graduation comes, and whose standards are used. What are you doing to make sure that a student who would have met the graduation requirement let us say in their home school, if there is such a thing, but are graduating in another district, what are you doing to try to make sure that this doesn't become a major problem for those students?

Mr. Garcia. Mr. Chairman, there is a couple of things that are currently happening. One is we have been very supportive of the political assistance -- the past program, which is to help students who are traveling to acquire credits from where they are coming from by having the curriculum they can go back to and will be accepted by the State that they have come from.

Secondly, we have some States and we are encouraging very strongly to do a comparison to the State standards that are out there. For example, in Florida we have the Sunshine State Standards where we have a computer program where the kids travel up to North Carolina, and they matched those North Carolina, South Carolina standards to those in Florida to assure that they are meeting those standards and at the same time receiving those credits that would be necessary for graduation.

The State of Washington is another example where what they have done this with the State of Texas, where many migrant students there, have actually worked a reciprocal agreement with the State of Texas to assure if the student is in the State of Washington, and they are meeting the necessary requirements to meet the State standards within the

State of Texas through the curriculum in the State of Washington and, working jointly, they have assured that students do this and are passing those requirements. They actually get to graduate in the State of Washington; however, they will be receiving the credit from the State of Texas, their home based State, to the extent where they even have the student wear the same ceremony gown for graduation from the State of Texas within, let us say, Wapato, Washington.

So we have been taking a very close look at that. We want to strengthen that area of secondary education, specifically in assuring that we get States talking with one another to assure that they become reciprocal in terms of as much as we can meeting those requirements that are needed for the children as they go back, or if they are still migrating to assure they are receiving those credits necessary to graduate within that time frame.

Chairman Goodling. And I noticed Mr. Perry's testimony, he is talking about a problem we have wrestled with for a long time. We got rid of a very expensive records transfer system that ran amuck or I am not sure what happened. What are we doing at the present time to try to make sure that as the children move from district to district are keeping track of them and they aren't falling through the cracks?

Mr. Garcia. As a result of that responsibility given to the States, the systems have been basically decentralized. The decentralization has involved States going into consortiums with one another or States going into individual programs for records transfers just within the States. What we are currently doing is we have established a records transfer committee group of 10 State directors of migrant education, where we have already met and have established a plan to move forward to work on establishing interconnectivity amongst the States, rather than just use these current systems that they have which cannot communicate to one another, but can provide the State the specific child count.

We are concerned about the health and academic records. We are going to say the integrity of what the States have put in terms of dollar and effort to develop their systems, but yet come with some basic elements that will create interconnectivity amongst the States to assure that the transfer of the records and the health records will be there for students.

Chairman Goodling. Thank you.

Ms. Reimann. Mr. Chairman, may I make a comment on that particular question.

Chairman Goodling. Yes.

Ms. Reimann. From the point of view of someone who works with parents and who has seen again. A characteristic of the migrant population is they do hold on to their documents. They have to, so if you look at people, they will hull out of their parents these crumbled little pieces of paper that are important telephone numbers and records for their children. In our area, we are tapping into that by sitting down with parents, giving them a simple little brown folder, going through this, their documents that they have and discussing each one with them so they understand them. This is your child's health records, let us talk about what is in here. This is your child's report card, and we spend a fair amount of time going over report cards with parents.

Let us put them all in this folder, and when you move on, you will have access to it. So we use it as part of the training process really for parents to encourage them to carry those records from place to place and understand them.

Chairman Goodling. I will get the rest of you as I go into my second round of questions. And I will turn to Mr. Fattah at this point.

Mr. Fattah. Thank you, Mr. Chairman. And I want to thank you for your continuing interests in migrant education, which is I think is appropriately noted nationally. Mr. Garcia, you are representing the Administration's reauthorization. One of the things that has been suggested by the National Association for Migrant Education is to reconsider the issue in terms of for profit versus not for profit, in terms of helping attract kids, you know, who are moving across State lines.

What is the Administration's position on that one issue?

Mr. Garcia. You are talking about the for profit eligibility?

Mr. Fattah. Right.

Mr. Garcia. Yes. Basically what we want to do is create as many or come up with as many options as we possibly can. It does not limit whether you go for profit or not for profit.

Mr. Fattah. The Administration is for that eligibility?

Mr. Garcia. Let us say let us put it to offer another option to look at.

Mr. Fattah. All right.

Mr. Garcia. Just briefly, it is a very small amount that we are talking about. We are not saying we are going to go with for the profit, we are talking about coordination.

Mr. Fattah. I am not in disagreement, I am just trying to understand where we are in that.

I know it is different circumstances for different families and different young people. But on average, do we have some idea of the number of schools and school districts that a migrant child might be in in a given school year?

Mr. Garcia. Basically, the average answer should be about 1.5. Children, you have to understand, can be up to 5 schools in any given year. That makes a tremendous amount of difference. Overall in this program, we have identified 753,000 children who are eligible for migrant services. We do have some background information that shows every single school district in this nation that has a migrant child in it, and just practically down to the building, and we can send it for the record.

Mr. Fattah. If you look at the map, it is quite apparent that this is an issue that many school districts face, some do better jobs at it than others.

Let me ask Mr. Guzman. Let me thank you for your testimony, and let me also congratulate you as the first member of your family going on to college.

Mr. Guzman. Thank you.

Mr. Fattah. I am sure your brother intends to follow you, right?

Mr. Guzman. He has to.

Mr. Fattah. Okay. Now, why don't you tell me about your circumstances; You traveled with your family as they worked in different areas?

Mr. Guzman. Yes.

Mr. Fattah. What States did your family work in in terms of picking, is it lettuce?

Mr. Guzman. It was mostly California.

Mr. Fattah. Mostly California. So you moved from area to area?

Mr. Guzman. Yeah.

Mr. Fattah. As you moved from school to school, before you got involved in the Migrant Education Program, did you have a problem with transferring records?

Mr. Guzman. Actually, I really don't know. My mom usually did all of that.

Mr. Fattah. When you say you left school without taking the SATs, is that because you didn't intend to go to college?

Mr. Guzman. I didn't really put much thought into it. I just wanted a full-time job so I could have money in my pocket and help out my parents.

Mr. Fattah. When you were alerted through the program about the access to assistance, in terms of going on to college, you said first you signed up for junior college?

Mr. Guzman. Yes.

Mr. Fattah. And now you are at a 4-year institution?

Mr. Guzman. Yes, I am.

Mr. Fattah. Can you explain what happened in terms of your original thought there?

Mr. Guzman. When I signed for a junior college, I was just going to take a couple of classes, get a full-time job, a couple of classes to see what happens. And as soon as I started hearing, you know, well, you know, 4-year university, stay here 4 years, maybe 5, graduate, and you will get a better job, you will be a lot happier at your job; that is really what I wanted.

Mr. Fattah. Okay. So you are at California State now?

Mr. Guzman. Yes.

Mr. Fattah. All right. Are you participating in the Tutorial Assistance Program that is provided for migrant students there?

Mr. Guzman. Not right now. I just finished CAMP, the Migrant Assistance Program that really helped me out through college in my first year.

Mr. Fattah. Thank you. I see my time is up. Thank you, Mr. Chairman.

Chairman Goodling. Mr. Petri.

Mr. Petri. Thank you. I guess I had a couple of questions, one of Mr. Garcia. Could you help me understand the recommendation for minimum and maximum variation in State allocation? Is that the purpose of that, to produce some stability and predictability in the program?

Mr. Garcia. That is correct, yes.

Mr. Petri. Is there a difference, much of a difference in State level of effort or participation? I assume if there is a big increase in demand and of migrant workers in a particular State, the Federal Government would not then keep up if it was more than 20 percent. So would the State then be expected to fill the gap or would they just be shortchanged, or how would that work?

Mr. Garcia. Basically the idea behind it is we had a lot of small States who are small States, they do not receive a lot of dollars. They didn't have enough dollars -- they could go recruit, but there wasn't enough money left to be able to plan the program and implement it. So as a result of that and, of course, the small States we took into consideration of having a minimum amount of $200,000.

And I believe the other organizations were also requesting a minimum to assist in that area. Never recognizing or knowing what is going to happen relative to the crops, we had the flood in the Red River Valley, that changed around, and if you can't have some type of consistency, we introduced that 120, you can't go more than 20 percent and can't go less than 20 percent.

On the basis that we ran the simulations and we looked at the historical data that it wouldn't make a tremendous impact for the States who were having large increases based on dollars that we have had, meaning that, the small States could at least count on some dollars to run their programs.

The larger States, of course, if there was a tremendous influx and not very much of an influx in the small States, we still have the option to redirect some of those dollars where the need may be. So we left that option there, and it was available.

Mr. Petri. One other area, it wasn't really touched on in any of the testimony. We have had previous hearings on the issue of English as a second language or whatever. How do you deal with that in migrant education, is it primarily in Spanish or primarily in English,

or does it vary from school district to school district, or automatically enrolled in English as a second language program if they exist or how does that work?

Mr. Garcia. Would you like the local perspective?

Mr. Petri. Mr. Guzman has been through it and they have been arguing about it in California, so I am sure you have some views.

Mr. Guzman. For me, this was mostly English. For I think one semester, I did take two bilingual, it was bilingual. But it was mostly in English.

Ms. Reimann. Can I comment on that question also?

Mr. Petri. Yes.

Ms. Reimann. Probably about 70 percent of my children are from Spanish-speaking homes and find themselves, because they are in the State of Pennsylvania, in purely English speaking schools, and often they are the first children who don't speak English to appear in these school districts. So you are talking immersion really as far as language is concerned.

Our role then has been to encourage the school; so the schools often provide a certain amount of language instruction, not always enough, so that in school the children are speaking in English. And in their own programs we use both languages. But the question of English as a second language instruction, we have found that while there are resources in these communities that address the needs of educated people and people who come into the area already with a certain amount of English that we have had to fill in the gap for people who appear in the area with no English and parents who come with no education.

The ESL programs that are presently in existence tend to assume a certain level of literacy. So that we have had to as migrant educators develop curriculum and teaching programs that are directed specifically towards the part of the migrant population which in our area is large that focused on teaching English as a spoken language, rather than as a written language.

And this is a very important role for migrant education really where we cannot depend on local communities to provide those services either in school or out.

Mr. Petri. Just briefly. I think my time is just about up. Mr. Niswonger, turning to section D, in my State, and I suspect maybe in Kentucky and some areas, we have been experimenting with something we call school-to-work for kids that maybe are quite able, but just don't see the relevance of academic life at that particular stage in their life and with some considerable success there are guidelines you have to have a mentor where you work and all of that.

Is that provided for in your framework? Do you do any of that? Should we be thinking about looking at what has happened in States in giving people an option with the community that is covered by section D to do some of this? You mentioned kids don't get back to school, they are not real eager to see them sometimes. It may be that this

would be a beneficial option in some instances.

Mr. Niswonger. Yes, sir. It is a vital part of our subpart 1 programs. I didn't mention it because of the limit of time, but we don't use Title I money for that, because it is so limited the way it is now. We access voc. ed. money for that and, of course, this is State money, and so besides them having a strand for academics we also have a vocational strand; particularly, that is true in the adult institutions, of course, most of the institutions in Kentucky, the adult correctional facilities, as an incentive for them to get their GED, not only do they get 60 days good time, but they also have to have the GED before they are eligible to enroll in vocational training, and there is always a waiting list for those programs.

So it is school to work as well. That is part of the collaborative as well. We try to get all the stakeholders at the table and provide a very well-rounded approach for their educational needs.

Mr. Petri. Thank you.

Chairman Goodling. Mr. Payne.

Mr. Payne. Thank you very much. I am very pleased to know that the question of migrant education really has certainly picked up a great deal. I recall many years ago with Senator Harrison Williams from New Jersey that brought the attention of the plight of migrant workers and the children who, as a matter of fact, in New Jersey had some of the most deplorable conditions at that time.

I am curious and perhaps Mr. Garcia, I don't see New Jersey, I know that we have the two large States with Texas and California, and then there is a list of 5 other States. But the question of migrant education in New Jersey has decreased or it doesn't fall in the top 8 or 10 States any longer?

Mr. Garcia. Yes, in some States there has been a decrease. Quite frankly in some States the effort for more identification and recruitment must increase because we know that there is families there, we know that we are missing a lot of them. That is the uniqueness about this program, is being able to go out and identify where the students are. New Jersey is a State that has decreased some, but I am sure it is a State that has a lot of possibility to increase based on more emphasis on identification and recruitment.

Mr. Payne. I see that in 1990 recommended appropriations is the first increase, it seems like it remains standard for the first 4 years. It seems with the increase in the question of migration and immigration that it seems that there should have been an increase. Of course, you know you don't make the increases. I know that comes from the Congress, but has it been more difficult, to your knowledge, to have a standard budget for 4 years?

I see there is a 16 percent increase proposed for the 1999 budget, which would be the one that we are in, but what has been the impact overall on the program, especially in light of the fact that we have seen increased employment. We know that evidently the increased employment, there is increased migrant workers, there is also increased illegal migrants, we are sure, and for the program to remain static as relates to funding, what kind of impact did that have on your program?

Mr. Garcia. The impact it had was not being able to meet and provide services to all migrant kids. When we were static for those 5 years, it was very difficult to really go out and identify and have the increase of students and then not being able to provide the services. As any program, and this program especially, we are never fully funded, the additional dollars, of course, just means that we can provide more services to more kids, and we have shown throughout the years that the increase is there. And as you mentioned, there are more and more migrant family and more and more kids out there who need service.

Mr. Payne. Thank you. In Tennessee, or Kentucky rather, I see that you have an interesting program. Are there parents involved in your program and do you have any funding geared towards science and technology training, or do you still have to deal with the basic problem of language in some of the bread and butter issues?

Mr. Niswonger. You are talking about the part D programs?

Mr. Payne. Yes.

Mr. Niswonger. Yes, sir, we do have parent involvement. In fact, every facility has a parent advisory counsel. They have an advisory council and parents are part of that council. That is even true in the adult correctional facilities. So we have a lot of involvement and try to get feedback from the community what kind of impact we are having. We have business people involved. We have mentoring going on. So we have tried to make it very holistic, as far as the approach to advisory councils.

Mr. Payne. Thank you. And finally, Mr. Perry, could you tell me a little bit more about the migrant education coordination activities?

Mr. Perry. There are four major programs serving migrant families. The education program is the largest, and in a relatively small department, the United States Department of Education. But there is Migrant Head Start in Health and Human Services, which is this huge department and Migrant Head Start is very far down the road in it. And there is the GTPA program, and the Labor Department. And all of these programs are Federal programs, and the programs, other than migrant education, are contracted out really. They are run out of Washington to vendors of services, and not administered through States.

The Migrant Education Program is the money goes to a State_to the State education agency and then is distributed. The difficulty of coordination at the State level is that if the Migrant Education Program chooses to deal with other migrant service programs, they can't deal through the State level, they have to deal with the Federal Government really, or if one doesn't want to coordinate, there is no authority. You can't go to the governor and try to crack heads, for example.

So I would call for a real serious concern of all of these agencies at the Federal level to look at the barriers to coordination, at the Federal level, at the State level, at the local level, to identify the barriers, number one, and to propose strategies to overcome them.

Now, at the present time, there is an ad hoc committee at the Federal level among all of these agencies and several other smaller agencies that serve migrants. And they

have other people on it. For example, our organization has been invited to serve. But it is an ad hoc group of secondary people in the departments who do good work, but they can only do it on a voluntary basis.

So I would choose to have this looked at at a much higher level. In fact, if it were my preference, I would seek an executive order from the White House to look at these issues on a coordinated basis.

Mr. Payne. Thank you. Thank you, Mr. Chairman.

Mr. Perry. But in any event our proposal is that if this could be fostered in the ESEA legislation in some way to have the Secretary of Education to take the lead on this, that would be our immediate proposal.

Mr. Payne. Thank you.

Chairman Goodling. Mr. Owens.

Mr. Owens. It is very good to see my colleague from New York State Senate, Jack Perry. And I am certain that the council was in very good hands because I know he is a very thorough and dedicated administrator and any activity you are addressing, I am sure would be well served.

Mr. Payne moved in the direction of the question that I wanted to go. And you just said you wanted an executive order from the President, you just said you would like to see the Secretary of Education have more involvement and have more power.

I was going to begin with a question related to something you said in your testimony about just gathering data. Can you elaborate a little bit on the statement you made about you can't even get decent data at the State level, they don't have anything for you to compare, because most States are not gathering data and what they are doing?

Mr. Perry. Congressman, our organization last year decided it would be very important for reauthorization to get as much data on the achievement of migrant students as possible. And we surveyed all States, 29 States responded to our survey, on questions that were developed by professional educators that we thought were important. No two States collect data in the same way. Many States still are not disaggregating data at the State level or even at the local level.

If you tried, for example, and this proposed bill of the administration, they talk about indicators of having dropout rates and attendance rates, you will never be able to compare dropout rates and attendance rates from one State to another, there is no unified system. I know at this political era, Congress is very reluctant to mandate any type of system, but--

Mr. Owens. Something as practical as this, couldn't they voluntarily agree upon on a uniform collection of the States?

Mr. Perry. Our proposal is that at least the State level identifies migrants and they disaggregate for migrants and they do it as soon as possible. And from there, possibly

other people can gather that information.

Mr. Owens. Are these States that have outstanding programs that could be used as models for other States?

Mr. Perry. Probably Texas, Rubin, Florida; North Carolina. Those are the three that come to mind off the top of my head from that we got very good information.

Mr. Owens. Those are three outstanding, would you say that there are others?

Mr. Perry. New York is also pretty good, I must say.

Mr. Owens. Would you say that those are the outstanding ones, but the rest are pretty good or are the rest pretty bad?

Mr. Perry. I would not denigrate any State, because they are all working toward this goal of establishing assessment procedures or establishing standards and then assessment procedures. And according to the law, they do have some time to put them into effect. But I would say at the present time from the States that responded to us, Texas, Florida, North Carolina and New York were the best. And there may be some others that were equally good and I hate to say that--

Mr. Owens. Would any member of the panel like to address this statement made by the Department of Education's recent final report of the national assessment of Title I that the subpart D(2) program has proven to be difficult to administer and confusing to the States?

Mr. Niswonger. Well, since I am the part D person here today, I guess I will address it. I would have to say that we have not had nearly as much success with subpart 2 as we have had with subpart 1. And there are several reasons for that. If you give me a minute, I will just hit 2 or 3 of them real quickly. Number one in the statute under the use of funds, the money that is generated by the kids that are in locally operated detention facilities, correctional facilities, that money does not have to go to provide services for them. They can use the money. It is the only program where the money goes directly to the LEA.

And they can use the money for district-wide dropout prevention, which is a good cause, district-wide social service type programs, those kinds of issues. And so a lot of times the money doesn't directly impact those kids that helped generate the money. So number one we are at a disadvantage because it is hard to measure what kind of impact, if any, it is having, because of the nebulous nature of how the districts are allowed to spend the money.

Mr. Owens. Do you think all of your activities on your jurisdiction, members of the panel, would be better off if they were part of a block grant and the Federal Government's role were minimized?

Mr. Niswonger. That is an easy one to answer. No, I really don't. I am afraid what will happen with migrant, and I do work with some migrant issues in our division. I think what will happen with migrant and with the part D, the delinquent youth and neglected youth, since they do not have a voice, by and large, that that voice will be lost. We are their advocates. And I am afraid that if it is put in a block grant, it is going to be so

diluted that we will never see the impact that it is having now for migrant and delinquent youth.

Mr. Owens. Any other member of the panel care to comment on that?

Mr. Garcia. I would like to agree with that statement. We are the advocates for migrant children out there, kids who are mobile, who leave school early and enroll late, kids who may not be there at the testing time that should be there, kids whose districts may now find ways to really include them in the assessments process. If you block grant things and block grant specifically to title C program, as well as delinquent, that voice would be lost.

Our belief is that States, especially going down to local districts as I mentioned earlier, many times they will not -- we are finding out some districts, for example, will not find those migrant children because they believe that it will bring their scores down, and if you block grant it, it will even make it worse, so leaving it as the categorical program allows us that opportunity to assure that migrant kids are included as part of the overall educational program all the way from planning and assessment.

Mr. Owens. Thank you.

Mr. Niswonger. If I might add to that, sir, one of the problems we have now with the delinquent and migrant students is that districts and teachers look for ways to get rid of them, and if it is a categorical program and money is tied to it, it is going to hold the districts feet to the fire so to speak. If it is block-granted, I am afraid that these kids will certainly lose and be disenfranchised even more.

Ms. Reimann. One more comment. The demographics of migrancy that I see, and I believe is throughout the country, is that these children are beginning to move from where there have been large concentrations of migrant children out into, for example, middle America, which means they suddenly appear in school districts where there is only a few of those children, and they will certainly have no voice if each district is then left to decide what to do with them.

Mr. Perry. May I comment also. I did testify on this at the beginning of my testimony. But I think it is important to understand that the Federal program helps all migrant children. If there weren't a Federal program, there probably would not be a Migrant Education Program, but there would probably still exist in the major State in some way -- Florida, Texas and California would still probably provide services to migrant children.

But the key to the National Migrant Education Program is that when the Texas and Florida children move north, the northern States who have relatively small programs, Texas sends kids to 42 States, they serve Texas kids. And if there wasn't a national program, these Texas kids would not be getting an education and they would go back to Texas and they would be disadvantaged.

So to a great extent, migrant education is a national program, but to a greater extent it is serving kids from the sending States, the large sending States.

Mr. Owens. Thank you.

Chairman Goodling. I think part of the problem has been a misinterpretation of what it was we said in the first place. If they took that Title I money they were supposed to do several things, one they were supposed to coordinate the activities while the child was incarcerated, secondly, they were to then use a portion of that money to facilitate the child coming back into the school system. And what I understand, it isn't that they didn't use the money properly somehow, but it was more for dropout than it was for dealing with incarcerated children than when they returned. And obviously, that is going to have to be clarified, if they are misinterpreting that language. Mr. Hinojosa.

Mr. Hinojosa. Thank you, Mr. Chairman. I want to acknowledge that it is really good to see you, State Senator Perry. When you came down to south Texas, to Brownsville in fact, I remember that we had a great conference there on migrant education and that you really got to listen to a lot of migrant students whom we invited to come and tell us about the problems that they were facing. So it is good to see you again. Happy that you are the advocate for migrant children together with all of these distinguished panel.

But I want to echo the concerns that some of my colleagues have expressed on whether we have adequate academic records to be able to track the students and know what the dropout rate is amongst them, as compared to 10 years ago, as compared to 20 years ago and how many are continuing on to postsecondary education.

And that really concerns me, especially now that we shut down the Little Rock Center, where we compiled all of the information in a central location.

So could you tell me, is there a problem with the commissioners of education in agreeing to have the same formula to report the dropout rate?

Mr. Perry. Congressman, I think there are really two issues here, there is the record transfer issue, how does a local school district deal with a student who comes in and they don't have a record for them. So it is really on a day-to-day, year-to-year basis or a placement basis.

Let me just address that first, because this is an issue that Congressman Goodling raised also, and we have addressed it in the testimony. This is what I call a challenge to flexibility. The IASA law has a provision in it that the Federal Government will assist States to develop the process of record transfer. It is 5 years later after IASA has been put into effect, the Federal Government has assisted States. States have worked in an ad hoc basis, individually and on a consortium arrangement, and there still is no system for transferring records.

And that is why we advocate and incidentally the administration proposes exactly the same language which is in the bill 4 years ago. So we propose stronger language that you have to have the Federal Government establish minimum data set so that everybody collects the same amount of information or the same type of information by students. That is our proposal. It is a stronger proposal. It is a Federal requirement, I grant you that.

But the evidence is, even with the good will that is expressed by Mr. Garcia and the Department, I hope Francisco is in this position 5 years from now, but there will be a new administration, and we have no idea who the personalities would be. I would suggest a law should be written to deal with the problem and not worry about what the

personal attitudes are.

So then you have the idea of a repository of national information, and the question there is, should you collect that for all migrant students and have a migrant repository or should you have the States collect it within their State and identify migrant students so that we could, on a national basis, get the information from individual States. Frankly, I don't have an answer to that aspect of it, but that is the next step beyond establishing the minimum data set.

My suggestion is that we, very clearly within the law, and we have some specific proposals clearly in the law, require in various parts of the law that there be a disaggregation of data for migrant students and a use of that data in modifying and revising programs. It is a lot more complex. It would take a lot of time, but that summarizes our position.

Mr. Hinojosa. Thank you. The last question I would ask is on the recent report by the Department of Education, Mr. Garcia, you say that there is 165,000 migrant students who are served by schoolwide programs.

Can you discuss how those students are being served by schoolwide programs and the extent to which the migrant personnel are involved in the planning of those programs?

Mr. Garcia. As you are aware, Congressman Hinojosa, there was a mandated study by Congress on meeting the needs of migrant students in schoolwide programs. We did find out that of the 11,714 migrant education sites, approximately 22 percent were involved in schoolwide, of which 17 percent, or approximately 102,000 children, that migrant students, participate in these schoolwide programs.

What we did find out through the study, and of course it is limited by the fact that we have 25 throughout, and then surveys, of course, which is more, is that there are some areas that a_schoolwide, the intention is to bring it all together in terms of providing services to all children.

What we have found is where there is a smaller migrant program, the evidence shows that there needs to be more involvement from the parental group, from the teachers planning for migrant students. Where there is a larger migrant population located, then there seems to be much more activity in terms of being involved in the planning and meeting the kids in migrant needs and schoolwide projects.

We also found that the students who were within the schoolwide, many teachers and principals, of course, didn't separate and say these were migrant students because they are saying they are all receiving the same services, they are all receiving the same, whether it is districts or State assessments. So overall it is kind of a mixed picture. It meets the intent of what the schoolwides are doing, on the one hand. On the other hand, it does say we need to strengthen more parental involvement in planning of schoolwides.

We believe that the language is there, we just need to oversee it and make sure this does happen. We need to be assured that those needs of migrant kids that have been identified are first met and then assure, of course, that they are part of the educational process within the schoolwide project.

Mr. Hinojosa. Thank you. Mr. Chairman, I just want to say that the Congressional Hispanic Caucus has addressed migrant education in our reauthorization act and soon you will be seeing the recommendations that we are submitting from the caucus. And I think that we definitely address some of these problems and recommendations as made by Senator Perry. So I am pleased to hear what I heard this morning and be assured that you have lots of friends in this Education Committee, starting with our chairman, and certainly I can say that for myself.

Thank you.

Chairman Goodling. Thank you. Of course, it took us a long time to get smart enough to understand that if it isn't family literacy, you are probably not going to break the cycle. I don't know why it took us so long to understand that. It should have been as clear as the nose on anybody's face.

My lecture that I give to people all over the country is that the most difficult part you are going to have is to get the parent participation and, particularly, the fathers. So I would ask Ms. Reimann, how you are doing in getting parent participation and particularly how are you doing getting fathers involved?

Ms. Reimann. Let me address the issue of fathers first. The area I work in we are probably about 40 percent dairy farm families, Anglo dairy farm families and about 60 percent Hispanic Latino families. We have had surprising success. To me, one of the most encouraging parts of our program has been the level on which we have been able to get our Spanish-speaking fathers to participate in this program.

Perhaps it comes back to what I said initially about these families, which is that the fathers -- I have had fathers even say this to me, I know that I am going to have to work hard all of my life and never have a good job, but that is okay, because I am doing this so that my children can be in a different position. And often the fathers are, of course, the people in the family who speak English better than the mothers.

In particular, just recently, we have a whole mathematical component of our program which is based on games, and we find that fathers feel much more comfortable playing games with their children than they do perhaps looking at books and talking to their children. Part of my staff training is to teach my staff how to come into a home and draw the father into conversation, which is that kind of personal contact between staff and family which is the key, I feel, to parent participation, and that is something that people have to learn to do that we train them to do, and we even practice, we talk about, what do you do if the father is sitting in the corner kind of looking uncomfortable.

I would say that we have good parent participation and even perhaps 65 percent of our families, where we have parents actually after a certain period sitting down and working with their children teaching them.

Chairman Goodling. Mr. Guzman, probably the greatest need we have in the country is to have ideal role models in the classroom representing the population they are teaching. That is a prelude to I hope you will go prepare to be a teacher and come back to the area where you will be most needed because those role models are scarce throughout the country. And so I am putting a plug in.

I was in the education business for 22 years. It is a great reward. It is very challenging, but it is very rewarding. It doesn't pay that well, but you get your -- what do they say, you get your crown in heaven I guess, something of that nature. Mr. Petri left, I was going to ask him if he had any other questions. Well, then it is down to just the two of us. Do you have any other questions, oh, Mr. Petri.

Mr. Petri. No.

Chairman Goodling. You were hiding behind Lynn. Mr. Hinojosa, do you have any other questions you would like to ask the panel?

Mr. Hinojosa. I will ask Mr. Guzman, if money was no problem, we had all the money necessary to put into the migrant programs, what would be the top two things you would invest the financial resources to help boys and girls graduate from high school; what two things would you think are the most important that would help them graduate from high school?

Mr. Guzman. Actually, I think they are pretty simple. For me, the first one would be reading programs. And the second one would be healthwise.

Mr. Hinojosa. I am sorry, the second would be?

Mr. Guzman. Healthwise, you know, doctors, anything like that.

Mr. Hinojosa. Health?

Mr. Guzman. Health, yes.

Mr. Hinojosa. Do you think that many do not stay after the sixth grade or ninth grade? Somewhere, it seems like in the middle school we lose so many students. Do you think that health is the reason that many don't stay to graduate from high school?

Mr. Guzman. Well, for my experience, one of my cousins stopped going to school for about a year, because one of his brothers got sick in Mexico. So they had to stay in Mexico and he couldn't come back, because he didn't have the insurance, they really couldn't get any health benefits over there, in the United States.

Mr. Hinojosa. Okay. Well, that is your answer. Thank you very much.

I have no other questions, Mr. Chairman.

Chairman Goodling. Mr. Niswonger, if the children incarcerated are located in detention facilities, how do you best believe we can encourage the facilities to work with local schools to ensure that education for such students is all of the education and they are actually receiving?

Mr. Niswonger. We have some facilities, locally operated detention facilities, that do a good job of working with the LEAs. The problems that we are finding mostly in Kentucky are the ones that are church sponsored, and that certainly is not to cast aspersions to any denominational work. I happen to be an ordained Baptist minister myself. When we try to do our annual count and we send the count forms out to the

locally operated facilities, many times, either they don't send them back, and then I call them and they say we don't believe in that because we are church sponsored, and we believe in separation of church and State, that sort of thing.

And I try to educate them in the fact you don't understand, this is going to help provide money for the local district that can in turn maybe do some more things for your kids. So one of the problems is going to be a PR problem or education problem just trying to educate them as to how in fact this can help them.

Number two, perhaps addressing in the statute some way of tying those funds that are generated by subpart 2 facilities, tying that money more closely to the kids that generate it. Because right now, when districts find out well, geeh, we don't have to use that money to address the needs of those kids, many of them use it then as a windfall to do other things that are allowed in the law. So if that part of the statute could be tightened up where we can hold their feet to the fire perhaps and perhaps have them use that money to help impact those kids educationally or socially or some other way.

Chairman Goodling. Mr. Guzman, this isn't a hearing on bilingual education, but we get into real donnybrooks when we discuss bilingual education. There are those who believe that transitional bilingual is the only way, there are those who believe immersion is the only way, and I believe that whatever works is the only way.

Can you give us a little history of your experience as far as transitioning from one language to another?

Mr. Guzman. For me, at first it wasn't that hard, you know, I did reading, I read a lot. My mom read to me. And so I got into English slowly, but, you know, steadily. When I went to Mexico, it got really hard for me when I came back, because I was in school for about a year over there, which everything I wrote usually started in English, ended up in Spanish.

I started talking in English, talked Spanish in the middle, and English at the end. And when I entered the MEP program, they actually had a reading program, the teacher would talk to us in Spanish, and we would read in English and sometimes she would talk to us in English and read in English.

And Spanish I just learned it from my parents, the reading, the grammar, to speak it.

Chairman Goodling. Did any of the adults in your life speak English?

Mr. Guzman. My mom. She almost finished high school. She has been the one that actually would say things like, you know, you don't spell this like this, you do this, you do this and this and this. It is like okay, Mom's the one here.

Chairman Goodling. So you had the advantage of someone that had some college?

Mr. Guzman. Yes, that has helped me out a little bit. My dad, he is actually learning English from me and my brother. So he is trying to get along now.

Chairman Goodling. What has been your experience, Ms. Reimann, in the whole transition business?

Ms. Reimann. The majority of my children, as I said before, find themselves in what are basically immersion programs. And I have found that that works quite well for children in the lower grades, kindergarten through perhaps second or third grade. With a minimum of help they move into the mainstream. It becomes much more problematic for children from about sixth grade on up and is really a recipe for failure, unless you have a particularly determined child or some kind of assistance for those children. So that has been my experience.

I have encountered a certain number of children coming in from other States and found that the ones who do best are not the ones who are in a completely bilingual or Spanish-speaking programs, but the ones who have had some kind of mixture of Spanish and English in their previous education.

Chairman Goodling. And are the older children in your area, do they have some kind of services?

Ms. Reimann. It is very difficult for us to get schools to provide those services. That is why I said no to the question about block grants. It is even more difficult for us to get teachers to understand that they cannot expect from those children the same kind of performance that they expect from totally English-speaking children.

There is something kind of surprisingly insular about that, particularly on the middle school and high school level. The services that they get come from us, and we have -- a very specific part of our program is a teaching program that is specifically directed towards showing children between the ages of about sixth grade and eighth or ninth grade reading techniques that will help them move into the position of being able to do their school work as quickly as possible.

Chairman Goodling. Any other questions?

Well, again we thank you very much for coming today and for your testimony. We have a big job ahead, and I always say that those most in need probably are rural poor and rural migrants, because there are very few facilities, very few opportunities out in those rural areas that inner city youngsters might be able to get.

So I also thank you for your work and again recommend, Mr. Guzman, that you be a role model for an awful lot of children in years to come.

Thank you again for coming before the Ccommittee. The Committee stands adjourned.

[The statement of Mr. Kucinich follows:]

WRITTEN STATEMENT OF REPRESENTATIVE DENNIS KUCINICH, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC – SEE APPENDIX G

[The statement of Mr. Clay follows:]

WRITTEN STATEMENT OF RANKING MEMBER WILLIAM CLAY, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC – SEE APPENDIX H

[Whereupon, at 1:05 p.m., the committee was adjourned.]

APPENDIX A - WRITTEN OPENING STATEMENT OF CHAIRMAN WILLIAM GOODLING, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC

OPENING REMARKS
THE HONORABLE BILL GOODLING
HEARING ON
"HELPING MIGRANT AND NEGLECTED AND DELINQUENT CHILDREN SUCCEED IN SCHOOL"

JULY 22, 1999

Good morning. Today's hearing will focus on some of the neediest children in this country: migrant children and children in correctional facilities.

As one who was reared on a farm, I came to understand very early the importance of migrant workers to the agriculture community. Without the assistance of these hard-working individuals, crops would not be harvested and farmers and other related industries would suffer.

Later, as an educator, I saw firsthand the impact of migration on the children of migrant farmworkers. Because these children generally left school before the end of the school year to travel with their parents and returned to their home school after the next academic year was underway, they were often unable to complete their course work or remain on an equal footing with their peers. As a result, dropout rates for this population were extremely high.

The advent of the Title I program for the children of migratory workers brought about major reforms in education programs serving this population. For example, programs were developed to provide services to students during the summer months. These services enabled many students to be promoted to the next grade. While the Title I migrant program has brought about an increase in graduation rates for migrant students, they are still unacceptably low.

Over the years, I have worked in a bipartisan manner to make further improvements to programs serving migrant children. My friend, and former Chairman of this Committee, Bill Ford, and I spent many hours developing the reforms enacted during the 103rd Congress. Like me, Chairman Ford felt this population of students was in great need of assistance.

I look forward to hearing how our witnesses believe programs serving migrant children can be modified to make them more effective. I am particularly interested in hearing from Peggy Reimann, who works with a family literacy program for migrant families in my home State of Pennsylvania. I personally feel that family literacy may be one of the best ways of serving our nation's migrant families and I will be interested in hearing how Ms. Reimann's program works with children and their parents in an effort to improve their literacy skills.

Another program we will be hearing about today is the Title I program for Neglected and Delinquent Youth. Again, we have a population in great need of assistance. Large portions of delinquent children drop out of school, many because of poor academic performance. We cannot afford to lose this population. If we do not help them, their choices are limited to low-paying jobs or continued involvement in criminal activities.

I am most interested in learning how we can help raise academic achievement among delinquent youth and provide them with the skills they need to succeed in school.

As I stated at the beginning of my remarks, these are two of the neediest populations of students in our country. I am very interested in hearing how we can improve these important Title I programs and insure a bright future for participating children and youth. I look forward to today's testimony.

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APPENDIX B - WRITTEN STATEMENT OF MR. FRANCISCO GARCIA, DIRECTOR, OFFICE OF MIGRANT EDUCATION, U.S. DEPARTMENT OF EDUCATION, WASHINGTON, DC

Testimony of
Francisco Garcia, Director
Office of Migrant Education
Before the House Committee on
Education and the Workforce

July 22, 1999

Good morning. I wish to thank you and the Committee for the opportunity to testify today in your hearing on "Helping Migrant and Neglected or Delinquent Children Succeed in School." As the Director of the U.S. Department of Education's Office of Migrant Education, I believe that the best thing the Federal Government can do to help migrant children succeed in school is to reauthorize, with the improvements proposed in the Administration's reauthorization bill, Title I, Part C of the ESEA -- the Migrant Education Program (MEP).

Background and Rationale for the Program

As you know, the MEP, first authorized in 1966, is a formula grant program that enables States to offer supplemental educational services to help the children of migrant agricultural workers and fishers meet challenging State content and student performance standards. Incentive grants awarded by formula to State MEPs that participate in multi-State consortia, as well as discretionary grants and contracts awarded to support improvements in the interstate and intrastate coordination of MEP services, are also supported under Title I, Part C.

In many ways, the movement of migrant children across local and State boundaries -- a movement connected to the production of food distributed in interstate commerce -- provides a classic rationale for Federal program support:

- No single school district -- and, in many cases, no single State -- is solely responsible for the education of a migrant child.

- No single school district -- and in many cases, no single State -- provides educational services to a migrant child throughout a single year.

- Before Federal legislation and support, school districts were unlikely to: (1) provide the normal range of services to children who attend their schools for brief periods of time; (2) find and enroll migrant children (outside of normal school enrollment procedures); or (3) address the school interruption problems faced by migrant children or their needs for special summer programs.

Migrant children are extremely disadvantaged economically and educationally. The combined effects of poverty, mobility, and limited English proficiency characteristic of the migrant student population require educational services in addition to those traditionally provided through State and local education budgets.

What the Program Does

The MEP affords each State the flexibility to implement services that help migrant children meet challenging State content and student performance standards; as a result, the MEP services differ from State to State, depending on when migrant children are present in the State and the needs of the children. The MEP also encourages and supports collaborative efforts and interventions across States to address the educational needs of migrant children who move across State lines.

The MEP supports supplementary instruction in core academic subjects, often provided outside the regular school day and in the summer, to address the specific educational needs of children whose education is interrupted by frequent moves. The supplementary services are costly to mount and are generally not otherwise available to students in the mostly small or medium-sized school districts in which migrant children reside. The MEP also provides support services that link migrant children and their families to community resources. During the regular school year, almost half of migrant students receive guidance and counseling services, and almost one-fourth receive some kind of health service with support from the MEP.

The migrant program has significant costs not usually covered by the regular Title I program, since no single school district or State is responsible for the education of migrant children. These special costs include those associated with identifying and recruiting, as well as serving, migrant children, including out-of-school teenagers and "emancipated youth" who travel without a parent or guardian to obtain work in the fields and processing plants. For example, migrant programs must:

- Locate and determine a child's eligibility for the migrant program, and convince the child or his parents to enter school or MEP-funded project before instructional or support services can be provided. Many migrant parents and youth are reluctant to come to school. This is largely because of long and exhausting working hours, a reluctance to deal with often unsympathetic local authorities, a need to have the children help out economically, and, in many cases, limited English proficiency. For these reasons, migrant staff must proactively seek out migrant families either at their residences, often at migrant labor camps located in rural areas, or at their places of work, typically farms or processing plants.

- Provide, or arrange for, transportation, food, clothing, health services, and high-cost learning arrangements such as evening classes, summer activities, and programs that travel with the children and their families. Mathematics, reading and other language arts are important instructional areas in both the regular term and in the summer, although "other instructional" services, which can include health, safety, and life skills, are also provided to many migrant children. Also, coordinating with other programs, and serving as advocates for the educational and related needs of migrant children, is an increasingly important focus in the State migrant programs.

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Current Status of the Program

In 1997-98, forty-nine States, the District of Columbia, and Puerto Rico provided MEP services to over 621,000 migrant children (81 percent of the almost 753,000 identified migrant children). Almost 85 percent of the MEP participants are Hispanic.

MEP is one of the most highly flexible programs in the ESEA in terms of the possible uses of funds. States and their local operating agencies can use MEP funds to support a multitude of services and service delivery approaches, such as:

- **Summer programs that extend learning time for migrant children**. MEP funds pay for unique summer costs, such as leasing facilities convenient to work sites or to migrant housing, transportation essential to bring children to services and take them on educational excursions, insurance involved in operating programs, two hot meals a day, and hiring staff essential to successful summer programs. Almost 298,000 migrant children (almost 40 percent of those eligible) received services during either the 1997 summer term or during a year-round school's intersession period.

- **Programs for older migrant children who lack sufficient credit to graduate and those who drop out of school**. Due to a migrant youth's need to work to help his/her family economically, many fall behind or leave school before graduation. The MEP supports a State-developed correspondence program, the Portable Assisted Study Sequence (PASS), which helps migrant students to accrue necessary credits while studying on their own or with assistance from MEP staff as they travel from place to place. When completed, PASS courses are accepted by the student's home-base school as credit toward graduation.

  Programs, like Washington State's Secondary Night Schools, that take into account migrants' need for flexible scheduling are making strides toward boosting the high school graduation rate for this population. The Vanguard-Sentinel Program of Fremont, Ohio is another credit-accrual program that offers migrant students summer evening classes in English, social studies, and math. Another project, Strategies for Secondary Migrant Youth in Yuma, Arizona, is noted for its success in keeping migrant students in school through a formal mentoring process.

  Work-study options help ease the economic pressure that has forced many migrant youth out of school, and at times those options have enticed dropouts back to school. For instance, New York's Adolescent Outreach Program (AOP) and Florida's STAY Program provide stipends for migrant teenagers while they are pursuing short-term occupational training in addition to their regular academic studies.

  Migrant students are often not aware of school regulations, policies, graduation requirements, or the workings of the school system due to their mobility, and to cultural and language barriers. To address this problem, Florida has established Secondary

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Advocates who act as liaisons between migrant families and schools.

Migrant youth often have had a limited exposure to spheres of work beyond agriculture. Their families' isolation from people in other career areas often leaves the children with a limited notion of career options. Farmworkers do not need to go through an application/interview process typical in most employment situations and, thus, their children do not learn necessary pre-employment skills through their families. Many migrant education programs, noting this problem, have included a career component in their programs.

- **The use of technology to enhance learning for migrant children**. For example, Project SMART, a Texas-based project using distance learning, takes the classroom to Texas migrant students who accompany their families to migrant work sites in other States during the summer. Nineteen States and more than 22,000 students utilize Project SMART services. Project SMART provides supplementary instruction by satellite and videotape and sends lap-top computers equipped with modems with migrant students, as they travel with their families, enabling the students to interact and transfer their work to teachers in Texas for continuing instruction and feedback.

  Another example of an innovative use of technology is the Arizona State University (ASU) "Conexiones" (Connections) Project. This project provides migrant students with lap-top computers and technology instruction. Migrant students are allowed to take the computers with them so they can communicate with ASU staff via modem. Currently, 100 migrant students participate in the project. While students work on their homework, they are also involved in developing a web page through a project called "Think Quest." Students also use the web through a project called "Earth Vision" where they post their findings on a study of pesticides.

  Texas' "Building Capacity Within Migrant Families: Algebra I for Migrant Students" is an Algebra distance learning project. Classes are broadcast twice a week and students are provided with a laptop computer, modem, graphing calculator, and internet access. During the broadcasts, students receive direct instruction, guided practice, and homework assignments. Students interact with the teacher via an 800 number and email. Student assessments are conducted by local facilitators and grades are mailed weekly to the instructor.

- **Collaboration with agribusiness to enhance educational services to migrant children and their families**. Existing collaborative activities include: providing space at the work site for parent-teacher conferences and allowing workers time off the production line to attend those conferences; support for adult ESL classes for workers and for child care so that migrant parents can attend those classes; creating child care facilities at plant sites; support for a community liaison to link migrant families with the schools; and support for summer programs to help migrant preschoolers make a better transition into kindergarten and to introduce migrant secondary school students to career options.

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- **Attention to standards and assessments for migrant children.** Since the 1994 reauthorization, the MEP has stressed the importance of ensuring that migrant children are provided the opportunity to meet the same challenging content standards and student performance standards that all children are expected to meet. In this way, Colorado has led a consortium of State MEPs in the development and implementation of a means for quickly identifying the specific academic needs of migrating children in core curriculum areas. This activity enables educators to link more migrant students with appropriate classroom interventions and improve student achievement.

  Texas, which is one of the fourteen States that currently disaggregate migrant student results from their statewide assessment tests, has been very active in ensuring that migrant students are included in the Texas assessment, and that the assessment results for migrant students are used to inform State and local program improvement. In particular, because many migrant children home-based in Texas were not receiving a high school diploma because their mobility at the beginning and end of the school year prevented them from taking Texas' exit-level assessment test, the Texas MEP has arranged for out-of-State administration of the test in eleven other States.

  Attention to standards and assessment for migrant children occurs at the local level as well. For example, migrant students in Hood River, Oregon, at Pine Grove Elementary, have shown great results on the statewide assessment. This is a school where 74 percent of the student population are second-language learners, of which the majority are migrant students. The positive results are due to innovative professional development activities for all teachers and high expectations by all teachers. As another example, Madison Elementary, in Madison, Nebraska, which has had a significant influx of migrant students over the last few years due to the opening of a meat-packing plant, has used MEP funds to totally reinvent its school: establishing a multi-level curriculum and a strong school-business partnership. Their effort to change from business as usual has paid off in terms of migrant children staying in school and achieving at high levels.

Proposed Reauthorization Changes

With regard to reauthorization, we believe that the current MEP is working well and requires only some fine-tuning of the legislative language. The development of the Administration's proposal for the MEP began with a large-scale effort to obtain input, not only from the major interest groups, but also from State and local MEP staff, as well as from migrant parents and children. In particular, the Administration's MEP proposal is to:

CONTINUE THE MEP's COMMITMENT TO HIGH STANDARDS

- Require that the State's application describe how the State will encourage migratory children to participate in State assessments required under Part A of Title I.

SIMPLIFY THE FUNDING FORMULA

- Replace the provisions relating to the count of migratory children, which are currently based on estimates and full-time equivalents (FTE) of these children. These provisions are ambiguous and require either a burdensome collection of data or the continued use of increasingly dated FTE adjustment factors based on 1994 data. We propose to base a State's child count on the number of eligible children, aged 3 through 21, residing in the State in the previous year, plus the number of those children who received services under the program in summer or intersession programs provided by the State. This approach would be simple to understand and administer, minimize data-collection burden on States, and encourage the identification and recruitment of eligible children. The double weight given to children served in summer or intersession programs would reflect the greater cost of those programs, and would encourage States to provide them.

- Establish minimums and maximums for annual State allocations. No State would be allocated more than 120 percent, or less than 80 percent, of its allocation for the previous year, except that each State would be allocated at least $200,000. The link to a State's prior-year allocation would ameliorate the disruptive effects of substantial increases and decreases in State child counts from year to year, which are typical among migratory children. The $200,000 minimum would ensure that each participating State receives enough funds to carry out an effective program, including the costs of finding eligible children and encouraging their participation in the program.

- Revise the computation of Puerto Rico's allocation, so that, over a 5-year phase-in period, its allocation would be determined on the same basis as are the allocations of the 50 States.

STREAMLINE AND IMPROVE PROGRAM PLANNING AND IMPLEMENTATION

- Amend the statute to repeal the requirement for a comprehensive service-delivery plan that is separate from the State's application for funds, and instead require the State's application to address certain issues that are now required to be in its comprehensive needs assessment plan (but not in the application). The elimination of the comprehensive needs assessment plan would streamline program requirements and reduce paperwork burden on States.

- Specify certain minimum factors that States are to consider when making subgrants to local operating agencies. These factors are: the numbers and needs of migrant children, the statute's requirement to give priority to serving certain children, and the availability of other program funds.

- Strengthen program requirements relating to the involvement of parents and parent advisory councils.

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IMPROVE INTERSTATE COORDINATION ACTIVITIES

- Make for-profit entities eligible for interstate/intrastate coordination awards. The current restriction to nonprofit entities has made it difficult to find organizations with the necessary technical expertise and experience to carry out certain important activities, such as the 1-800 help line and the program support center.

- Remove obsolete provisions relating to a report to Congress on the transfer of student records. Other language authorizing the Secretary to assist States in implementing timely records transfer would be retained.

- Increase the maximum amount that the Secretary could reserve each year from the MEP appropriation to support coordination activities from $6M to $10M . This increase is consistent with the Department's appropriations Acts for the last several fiscal years, and would increase the amount available for State incentive grants under section 1308(d) and make funds available to assist States and LEAs in transferring the school records of migratory students.

- Amend the authority for incentive grants to States that form consortia to improve the delivery of services to migratory children whose education is interrupted. These grants would be permitted, rather than required as under current law, so that the Secretary would have the flexibility to determine, from year to year, whether funds ought to be devoted to other permissible coordination activities. The maximum amount that could be reserved for these incentive grants would be increased from $1.5 million to $3 million so that, in years when these grants are warranted, they can be made to more than a token number of States. The requirement to make these awards on a competitive basis would be deleted because it is needlessly restrictive and results in an unduly complicated process of determining the merits of applications in relation to each other in years when all applications warrant approval and sufficient funds are available. Deleting this requirement would provide the Secretary with flexibility to, for example, award equal amounts to each consortium with an approvable application, or to provide larger awards to consortia including States that receive relatively small allocations under the basic MEP State formula grant.

Closing Statement

Thank you for the opportunity to testify. I will be happy to answer any questions you may have about the Migrant Education Program or the Administration's proposal to reauthorize it.

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Francisco Garcia, Director
Office of Migrant Education
U.S. Department of Education

Francisco Garcia is the Director of the Office of Migrant Education (OME) in the U.S. Department of Education.

Mr. Garcia was appointed to the Senior Executive Service in August 1998, capping a distinguished career serving education as a Federal programs manager, consultant, contractor, and teacher. Mr. Garcia has over 30 years of experience with Federal program management with particular expertise in educational equity and excellence. Mr. Garcia entered Federal service in June 1996 as a Group Leader for OME. While at OME, he has played a key role in efforts to increase support for migrant education, served as a working member on the White House Initiative for Excellence in Hispanic Education, and presented to the National Security Council on human rights issues.

Mr. Garcia leads an interagency task force of Federal program directors dedicated to building bridges between Federal programs and states to work jointly for the benefit of migrant children and their families. He has forged working partnerships with advocates and professional associations such as the Interstate Migrant Education Council (IMEC), the National Association of State Directors of Migrant Education (NASDME), and the National Association of Migrant Educators (NAME) to improve communication and services to migrant students at the State, regional, and local levels. Mr. Garcia has been instrumental in establishing a partnership between the Migrant Education Program and major agricultural employers, fostering family and workplace literacy initiatives that meet the continuum of educational needs for migrant family members from infancy through their adult years. Mr. Garcia's own experiences as a migrant farm worker are at the core of his commitment to migrant workers and their children.

Prior to Federal service, Mr. Garcia was Executive Director of Interface Consulting, a consulting firm focusing on issues of equity and access to education. He has also worked for the Northwest Regional Education Laboratory as a Research Associate and Director of the Center for Bilingual Education. He has served as a consultant to the U.S. Commission on Civil Rights and has chaired civil rights special committees for the Governors of Oregon and Idaho. Mr. Garcia has been an elementary and secondary school teacher, a local school administrator, and university instructor.

Mr. Garcia is a 1997 Fellow of the Council for Excellence in Government. He earned a Master of Arts Degree in Education from Boise State University in Idaho and his BA from the College of Idaho in Caldwell.

Committee on Education and the Workforce

Witness Disclosure Requirement – "Truth in Testimony"
Required by House Rule XI, Clause 2(g)

Your Name: Francisco Garcia		
1. Will you be representing a federal, State, or local government entity? (If the answer is yes please contact the Committee).	Yes ✓	No
2. Please list any federal grants or contracts (including subgrants or subcontracts) which you have received since October 1, 1997:		
3. Will you be representing an entity other than a Government entity?	Yes	No
4. Other than yourself, please list what entity or entities you will be representing:		
5. Please list any offices or elected positions held or briefly describe your representational capacity with each of the entities you listed in response to question 4:		
6. Please list any federal grants or contracts (including subgrants or subcontracts) received by the entities you listed in response to question 4 since October 1, 1997, including the source and amount of each grant or contract:		
7. Are there parent organizations, subsidiaries, or partnerships to the entities you disclosed in response to question number 4 that you will not be representing?	Yes	No

Signature: Francisco Garcia Date: 7/21/99

Please attach this sheet to your written testimony.

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APPENDIX C - WRITTEN STATEMENT OF MR. OSCAR GUZMAN, STUDENT, CALIFORNIA STATE UNIVERSITY, SACRAMENTO, CA

TESTIMONY

BY

OSCAR GUZMAN

ON BEHALF OF

THE NATIONAL ASSOCIATION FOR MIGRANT EDUCATION

BEFORE

THE EDUCATION AND THE WORKFORCE COMMITTEE

UNITED STATES HOUSE OF REPRESENTATIVES

JULY 22, 1999

Good Morning. My name is Oscar Guzmán. I would like to thank the Chairman and the Members of the Committee for the opportunity to present this testimony in support of federal education programs for migrant children. I am pleased to speak to you on behalf of the National Association for Migrant Education, representing educators serving migrant children and their families throughout the United States and Puerto Rico. Without these programs, it would not be possible for me to be here in Washington, D.C. today.

I was born in Mexico in 1979, and my family came to live permanently in California shortly after. I have one younger brother. I just finished my freshman year at California State University - Sacramento with the help of the College Assistance Migrant Program. This year, I served as the Secretary for the College Assistance Migrant Program of Students (CAMPOS), the CAMP student association.

My father stopped going to school at the age of 13, when he completed primary school in Mexico. My mother, starting when she was 17, would come to California each May to work in the fields with her father and sister. She would stay until the season ended in November and would return to Mexico to take care of her twelve brothers and sisters. During her stays in California from Mexico, my mother would enroll in high school through the Migrant Education Program. My mother completed secondary school in Mexico which made her a high school junior in this country. Unfortunately, she was unable to graduate because my grandmother died two months before the end of her senior year, and she had to return to Mexico to take care of her brothers and sisters. My mother always tells us that education is the number one thing in this country today. She does not want us to have a life of a field worker.

The first education I can remember is being in the Migrant Head Start program. My

mother was working for a small farmer growing lettuce, tomatoes and melons. A Migrant Head Start recruiter contacted her at work and told her about the program. She was delighted to hear about this program because she would not have to take me to the fields all day.

When I was not in school, I would go to the fields with my mother. By the time I was 9, I was working, helping my mother with carrying boxes and weeding the fields. I was paid in popsicles. I liked school and was doing well. Then my uncle passed away and my family left for Mexico. I spent part of third grade and the beginning of fourth grade at school in Mexico.

By the time we came back from Mexico, my English was sketchy but my math was great -- more advanced than my fourth grade class. My teachers helped me with my English as much as they could. My parents moved because of work, and I changed schools. At my new school, I was identified for the Migrant Education Program. The teacher who was in charge of my class helped my mother with all of the paperwork and records transfer. He also arranged for a health check up for me. I continued to get check ups every year through the eight grade. The Migrant Education Program had a special reading group for migrant students, which helped me with my English.

Education was very important to both of my parents. They wanted a better life for me and my brother. Both my brother and I have had dedicated teachers that keep in touch with us and encourage us to succeed in life. However, work has been important and necessary, too, and I have struggled to balance work and school.

Throughout junior high and high school, I worked after-school, weekends and summers cutting lettuce, carrying boxes, driving trucks, tractors, and irrigating fields. Once I was 13, I was responsible for my clothes, and "luxuries," such as entertainment and gifts for family and friends,

and helping with some of the family expenses. I also took care of my younger brother's clothes and "luxuries." My parents always encouraged me to pay more attention to school and so did my MEP teacher, Mr. Buse. I tried, but sometimes it was hard.

In high school, I really did not give much thought to going to college. I cared more about getting a full-time job. I didn't think that I would make it in college. I left high school without taking the SAT or applying to the university. I got a job with a printing press where I worked the midnight shift, 12- hour days, four days per week. The things I saw and felt made me realize that money isn't everything in life, that you have to be happy at your job. I knew then that I needed to go to college.

I applied to junior college and was accepted, but then my friends started telling me about life at the university. I met current students in the CAMP program and they encouraged me to apply. So, I did. Before starting CAMP, I was accepted to a program called Summer Bridge, which helped refresh my math skills before starting my freshman year in the fall.

I am the first person in my family to go to college. My parents are very proud of my decision to go to college and expect me to go far. My dad always tells me that I am going to work in an air-conditioned office with a secretary and two-hour lunch breaks. My aunts and uncles are also very proud of me and use me as an example for my cousins. I hope to be in a position where I can make a difference in education and agriculture in order to improve the lives of families like my own.

I would not be here today if it were not for the Migrant Education Program in fifth grade that put me on a path of academic achievement and the other migrant programs that helped me succeed. Because of these programs, my life was made easier and my parents dream of a better

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life for me and my brother will come true.

As you reauthorize the Elementary and Secondary Education Act, I urge you to continue, and even strengthen, the Migrant Education Program for future generations. NAME has developed a comprehensive set of recommendations for reauthorization which have been included with my written statement.

Thank you for the invitation to testify. I would be pleased to respond to any questions you might have about my oral testimony. NAME would be pleased to respond in writing to any questions about the reauthorization recommendations.

Committee on Education and the Workforce

Witness Disclosure Requirement – "Truth in Testimony"
Required by House Rule XI, Clause 2(g)

Your Name:		
1. Will you be representing a federal, State, or local government entity? (If the answer is yes please contact the Committee).	Yes	(No)
2. Please list any federal grants or contracts (including subgrants or subcontracts) which you have received since October 1, 1997: Student Financial Aid		
3. Will you be representing an entity other than a Government entity?	(Yes)	No
4. Other than yourself, please list what entity or entities you will be representing: National Association for Migrant Education		
5. Please list any offices or elected positions held or briefly describe your representational capacity with each of the entities you listed in response to question 4: none		
6. Please list any federal grants or contracts (including subgrants or subcontracts) received by the entities you listed in response to question 4 since October 1, 1997, including the source and amount of each grant or contract: none		
7. Are there parent organizations, subsidiaries, or partnerships to the entities you disclosed in response to question number 4 that you will not be representing?	Yes	(No)

Signature: _____ Date: _____

Please attach this sheet to your written testimony.

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PERSONAL INFORMATION: Please provide the committee with a copy of your resume (or a curriculum vitae) or just answer the following questions:

a. Please list any employment, occupation, or work related experiences, and education or training which relate to your qualifications to testify on or knowledge of the subject matter of the hearing:

Participated in Migrant Education Program in elementary school

b. Please provide any other information you wish to convey to the Committee which might aid the members of the Committee to understand better the context of your testimony:

Please attach to your written testimony.

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"Taking Migrant Education into the Next Millennium"

A COMPREHENSIVE PLAN FOR THE EDUCATION OF AMERICA'S MIGRANT CHILDREN

FOR THE CONSIDERATION OF CONGRESS AND THE PRESIDENT OF THE UNITED STATES

Jointly Prepared By:

National Association for Migrant Education, Inc. (N.A.M.E.)

National Association of State Directors of Migrant Education (NASDME)

National Association of High School Equivalency Program (HEP) and College Assistance Migrant Program (CAMP) Directors

APRIL 30, 1999

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Introduction

The children of migrant and seasonal farmworkers are among the most disadvantaged youth in this country. Migration, extreme poverty, and isolation from "mainstream" communities and services make these children the most vulnerable and at-risk students in our public education system. Virtually all migrant children live in poverty. Only 40 percent of the parents of migrant children have completed eighth grade. More than one in six migrant students is behind grade level with the rate increasing as the students reach the upper grades. Migrant students suffer drop out rates of between 50 and 60 percent.

Many migrant children are also migrant workers, and agriculture is a dangerous business. Poverty, combined with pesticide exposure, physical labor, the operation of dangerous equipment, and limited access to health care, means that migrant students bring to school a series of health issues that must be addressed in order for learning to occur. Clearly, educating migrant children poses unique challenges to state and local education agencies.

As Congress prepares to reauthorize the Elementary and Secondary Education Act (ESEA), the National Association for Migrant Education, Inc., (N.A.M.E.), representing educators serving the migrant children and their families throughout the United States and Puerto Rico, the National Association of State Directors of Migrant Education (NASDME) and the National Association of High School Equivalency Program and College Assistance Migrant Program (HEP-CAMP) Directors implore the Committee not to lose sight of the unique and special needs of migrant students.

This coalition of migrant education groups identified the following broad themes:

Building Support Structures	The focus of the Migrant Education program (MEP) is building the support structures for migrant students so that they can achieve high levels of success both in school and out of school.
State Reforms	The needs of migrant students have not been considered in the development and implementation of state reforms, particularly with respect to testing, promotion, and graduation. Consequently, in many instances, state reforms have created additional barriers to academic success for migrant students.
Accountability	Accountability for the migrant education program grant is at the state level. However, schools are responsible for the delivery of instruction. States and schools must develop and report appropriate measures of success for the MEP.
Consolidated Planning	The MEP has had mixed experiences with this process. Consolidated planning can only address the needs of migrant students if migrant educators and families are full participants in the planning process.
Schoolwide Programs	It is essential that the statutory exception for the use of migrant funds in schoolwide programs be maintained and strictly enforced. Only with careful, rigorous oversight and explicit accountability requirements can schoolwide programs be beneficial to migrant students.
Teacher Preparation	Both Congress and the administration have identified teacher preparation and quality of instruction as major themes of the ESEA reauthorization. There is a growing need for teachers who are well-prepared to address the special needs of migrant children.

MEP as a Categorical Program

Both N.A.M.E. and NASDME strongly support maintaining the MEP as a categorical program. Because of their mobility, migrant students will not benefit from a voucher program. Block grants are particularly harmful because of the lack of accountability for meeting the unique needs of migrant students. States would have little incentive to invest their educational resources on such a small, isolated, and marginalized group of students. The participants in the National Migrant Conference in Louisville were nearly unanimous in their reaffirmation of the MEP as a separate categorical program.

Accountability

States, schools, parents, and students have shared responsibility for migrant students' success. High stakes tests are especially devastating for migrant students who have not had the same opportunity to learn as other students. Therefore, there must be multiple measures of academic achievement for migrant students. Additionally, states must develop reciprocity with respect to promotion and graduation requirements so that migrant students who attend school in more than one state are not penalized by conflicting requirements.

Recommendations

- **There must be multiple measures of success.**
- **There should be reciprocity across states with respect to curriculum, standards, and graduation requirements.**
- **Migrant students should not be penalized by varying academic requirements across states.**

Legislative Language

Section 1301 is amended by—

(1) inserting a new paragraph (2) to read as follow:

" (2) ensure that migratory children who move among the States are not penalized in any manner by disparities among the States in curriculum, graduation requirements, and content and performance standards;

(2) redesignating paragraph (2) as paragraph (3);

(3) adding at the end thereof new paragraphs (5) and (6) to read as follows:

"(5) coordinate programs and services for migratory children who attend school in two or more of the states; and

"(6) ensure that migratory children receive full and appropriate opportunities to meet the same challenging State content and performance standards that all children are expected to meet.

Consolidated State Plans

The Migrant Education Program is often an afterthought in state consolidated planning, further marginalizing migrant students in the state's educational reforms efforts. Inclusion of migrant program staff and migrant families in the planning process from the beginning would go a long way to ensuring that educational programs and services are responsive to the unique needs of migrant students.

Recommendations

- **If the migrant program is included in the consolidated state plan, migrant program staff must be involved in developing the plan.**
- **Consolidated plans must explicitly describe the needs of migrant students and how those needs will be met.**
- **Consolidated planning cannot be used to supplant state efforts or state administrative funding.**
- **The current statutory reference to "parent representative" in the requirements for collaboration in consolidated planning should be replaced with "parent."**

Legislative Language

Section 1306 is amended by in subparagraph (a)(1)(B), inserting after "section 14302" the following

"provided that —

"(i) the special needs of migratory children are specifically addressed in such plan;

"(ii) the consolidated plan is developed in collaboration with migrant parent advisory councils and appropriate migrant program personnel; and

"(iii) consolidated planning shall not be used to supplant State effort or administrative funding for this part."

Schoolwide Programs

The needs of migrant students are unique and cannot be addressed adequately in a schoolwide or block grant environment. Many of the services provided through the Migrant Education Program, such as identification and recruitment, health and social service referral, and family literacy, take place off the school grounds, outside of the regular school day. Migrant students are often not in attendance at one school long enough to benefit from the schoolwide approach. Programs that are developed for students who attend school for the full academic year will not address the needs of migratory students who often only attend for part of a year.

Schoolwide programs also serve to inhibit parental involvement for migrant students and their families. Participating in school activities is particularly challenging for migrant parents because of their poverty, mobility, social isolation, and limited experience with educational institutions. Currently, Migrant Education Programs of at least one academic year in length are required to solicit input from a formal migrant Parent Advisory Council. Once migrant funds are merged into a schoolwide program, the consultation with the migrant parent advisory council would no longer be required, resulting in migrant families having little or no input in the implementation of the schoolwide program.

Schoolwide Programs-continued

Finally, the Migrant Education Program serves youth from ages 3 - 21, a range not typically captured in a schoolwide approach. Schoolwide programs are not designed to meet the needs of preschool or out-of-school youth, two significant populations served by the Migrant Education Program.

At last year's conference an overwhelming majority of participants indicated that the current schoolwide provisions were inadequate for protecting the needs of migrant students. Although the current law clearly states that the needs of migrant students must be met before migrant education funds can be used in schoolwide programming, in many cases, the Department of Education's lack of enforcement of the provision has rendered it meaningless.

Recommendations

- **Continue the statutory exception for the use of migrant funds in schoolwide programs and require that the Department of Education strictly enforce this provision.**
- **The SEA must provide prior approval of schoolwide programs that use migrant funds.**
- **The SEA must monitor schoolwide plans that use migrant funds to ensure compliance with statutory requirements.**
- **LEAs must solicit public comment on schoolwide plans that use migrant funds from migrant parent advisory councils, and SEAs must solicit comments from the state migrant parent advisory councils for ED FLEX applications that seek to waive regulations on the use of migrant funds.**
- **Schoolwide programs that use migrant funds should be audited. When schoolwide programs are not in compliance, the SEA must take corrective action.**
- **The SEA must ensure that the needs of pre-school and out-of-school (including both dropouts and never enrolled) migrant youth are met before funds can be used for schoolwide programs.**
- **The Department will be required to publish regulations on the implementation of schoolwide programs.**

Legislative Language

Section 1306 is amended by

(1) rewriting subparagraph (b)(3)(A)to read as follows —

"(3)(A) Use of Funds in Schoolwide Programs —

"(i) Notwithstanding section 1114, a school that receives funds under this part shall continue to address the needs described in (1)(A);

"(ii) the State education agency must provide prior approval to schools to use funds under this part for schoolwide programs;

"(iii) the needs of preschool and out-of-school migratory children, including students who have never attended school and those who have dropped out, must be addressed before funds under this part may be expended in schoolwide programs;

"(iv) the State education agency shall monitor schoolwide programs receiving funds under this part and shall take corrective action when the special needs of migratory children are not being addressed in such programs.

"(B) Flexibility — States requesting waivers of statutory or regulatory requirements under this part consistent with section 14401 shall provide information and seek public comments from the migrant community." And

(2) In section 14302(b)(1) strike "representatives of.".

Regulations

As mentioned above, many of the concerns regarding the use of migrant funds in schoolwide programs could be alleviated through rigorous enforcement and accountability measures. Unfortunately, in its zeal to provide maximum flexibility to states and school districts, the Administration has failed to regulate where appropriate, causing confusion and reluctance to implement new provisions on the local level.

Recommendations

- **Require separate negotiated rulemaking for title I Part C.**
- **Require that regulations be published within 12 months of enactment. Prohibit the Department from expending funds unless the regulations are published.**
- **The law should explicitly state which sections require regulations.**

Legislative Language

Part C is amended by creating a new section 1311 to read as follows —

"Section 1311. — Regulations and Negotiated Rulemaking.

"(a) Publication of Regulations. — The Secretary shall, within one year of the enactment of this Act, publish in the Federal Register final regulations to implement the provisions of this Part

"(b) Negotiated Rulemaking. —

"(1) Meetings.— In order to carry out his responsibility under subsection (a) the Secretary shall convene meetings to obtain public involvement in the development of proposed regulations for this Part. Such meetings shall include individuals and representatives of the groups involved in migrant education

"(2) Issues.— During such meetings, the Secretary shall provide for a comprehensive discussion and exchange of information concerning the implementation of this Part. The Secretary shall take into account the information received at such meetings in the development of proposed regulations and shall publish a summary of such information in the Federal Register together with such proposed regulations.

"(c) Draft regulations.— After holding meetings and before publishing proposed regulations in the Federal Register, the Secretary shall prepare draft regulations implementing this Part and shall submit such regulations to a negotiated rulemaking process. The Secretary shall follow the guidance provided in sections 305.82-4 and 305.85-5 of chapter 1, Code of Federal Regulations, and any successor recommendation, regulation, or law. Participants in the negotiations process shall be chosen by the Secretary from individuals nominated by groups participating in the meetings described in subsection (b)(1) of this section, and shall include representatives of such groups from Washington, D.C., providers in the program, and parents of migrant children. The negotiation process shall be conducted in a timely manner in order that the final regulations may be issued by the Secretary within the one-year day period described in subsection (a).

Legislative Language-continued

Part C, Section 1311—continued

"(d) Future Negotiated Rulemaking. —All regulations pertaining to this Part that are promulgated after the date of enactment of this paragraph shall be subject to a negotiated rulemaking (including the selection of the issues to be negotiated), unless the Secretary determines that applying such a requirement with respect to given regulations is impracticable, unnecessary, or contrary to the public interest (within the meaning of section 553(b)(3)(B) of title 5, United States Code), and publishes the basis for such determination in the Federal Register at the same time as the proposed regulations in question are first published. All published proposed regulations shall conform to agreements resulting from such negotiated rulemaking unless the Secretary reopens the negotiated rulemaking process or provides a written explanation to the participants in that process why the Secretary has decided to depart from such agreements. Such negotiated rulemaking shall be conducted in accordance with the provisions of this section, and the Secretary shall ensure that a clear and reliable record of agreements reached during the negotiations process is maintained.".

"(e) Applicability of Federal Advisory Committee Act. — The Federal Advisory Committee Act shall not apply to activities carried out under this section.

"(f) Authorization of Appropriations. — They are authorized to be appropriated in any fiscal year or made available from funds appropriated to carry out this part in any fiscal year such sums as may be necessary to carry out the provisions of this section, except that if no funds are appropriated pursuant to this subsection, the Secretary shall make funds available to carry out this section from amounts appropriated for the operations and expenses of the Department of Education.".

Records Transfer

Of all youth, migrant students are most at risk of failing to meet state standards or even being assessed to those standards. The lack of a national efficient and cohesive system for transferring the records of migrant students impedes schools' abilities to provide appropriate education and related services to migrant students and their families.

Currently, states use a variety of electronic and paper systems. When record transfer is late or non-existent, students have suffered from unnecessary and potentially harmful, repeated immunizations, delayed access to special education services, and inappropriate levels of instruction. Under these conditions, it is difficult to determine progress toward meeting challenging state standards. Ninety percent of the focus group participants at the National Migrant Education Conference supported the implementation of national standards for records transfer. Eighty percent of the focus group participants supported the recommendation to create a national migrant database.

Recommendations

- **The establishment of a national system of access to vital information is a federal responsibility.**
- **Require the Secretary to contract for a national data exchange system that could also be used for maintaining student counts.**
- **Require an electronic transfer system that provides interconnectivity among all states for student records transfer.**
- **Establish minimum standards for information collection such as health information and credit accrual. The exact items for collection should be negotiated through the rulemaking process.**
- **Collection of the vital information should be a condition of funding. However, the Secretary could waive some of the requirements where appropriate, such as the collection of high school information for states that do not operate secondary school programs.**

Legislative Language

Section 1308 is amended by adding a new subsection (b) to read as follows–

"(b) Establishing the vital information channel —

"(1) Within 120 days of the effective date of this Act, after consultation with the States receiving funds under this part, local operating agencies, the National Parent Advisory Council established under section 1311, the Office of Migrant Health, National Association of State Boards of Education, National Association of Secondary School Principals, the National Association for State Directors of Migrant Education, the National Association for Migrant Education, National Association of High School Equivalency Program (HEP) and College Assistance Migrant Program (CAMP) Directors, and other parties as deemed appropriate by the Secretary, the Secretary shall publish a notice in the federal register seeking public comment on a proposed set of vital information elements that shall include

"(A) the essential educational and health information on migratory children which shall be maintained by each State in order to make such information available when needed in any other State; and

"(B) the establishment of nationally accepted standards for timeliness, accuracy, and authentication of such information, including validation of full and partial credits for high school courses.

"(2) Within one year of the effective date of this Act, the Secretary shall publish in the Federal Register the list of minimum data elements that each State receiving funds under this part shall be required to collect and maintain.

"(3) Upon publication of the data elements in (2), the Secretary shall issue a contract for the development, implementation, and operation of a vital information channel (VIC), which shall be operational no later than two years following enactment and shall provide electronic access to and consolidation of the essential data on migratory children.

"(4) For development of nationally accepted standards and the Vital Information Channel, the Secretary is authorized to reserve $1,000,000 for each of the first two fiscal years following the effective date of this Act; and such sums as necessary for the operation of the channel in subsequent years.

"(5) Additionally, the Secretary may reserve the amount of two dollars per migratory child from the annual grant award to any State under this part if that state uses the Vital Information Channel to maintain its data.

"(6) Each State shall be responsible for providing the Electronic Data Interface, if necessary, to link its student data base to the Vital Information Channel.".

Parent Involvement

Since the inception of the MEP, Parent Advisory Councils have been instrumental in effectively involving migrant parents in their children's education. Two-thirds of the participants in the National Migrant Education Conference in Louisville, KY highlighted parent involvement as an area to be strengthened and expanded.

Recommendations

- **The composition of parent advisory councils should be subject to regulation through the negotiated rulemaking process.**
- **National: A national parent advisory council should be established to advise the Department of Education. The national PAC should include a minimum of 10 geographically representative members and others as determined through the negotiated rulemaking process.**

Legislative Language

1. **Paragraph 1304(c)(3) is amended to read as follows —**
   "(3) in the planning and operation of programs and projects at both the State and local operating agency level —
   "(A) there is appropriate consultation with parent advisory councils for programs of one school year in duration;
   "(B) all such programs and projects are carried out, to the extent feasible, in a manner consistent with section 1118; and
   "(C) migratory parents are provided information, in a form and language understandable to them, about the key elements in the contractual agreement between the State education agency and the local operating agency.".
2. **Paragraph 1304 (c)6)(A) is amended by inserting after "including" the following—**
   "(A) providing leadership development and informational activities for migratory parents about the programs funded under this part, and".
3. **Part C is amended by adding a new section 1310 to read as follows—**
   " Sec. 1310 — National Parent Advisory Council
   "(a) In General - A National Parent Advisory Council (hereafter in this section referred to as the "Advisory Council") shall be established to advise the Secretary on the implementation of programs under this part and coordination with other programs serving migratory children and families.

Legislative Language-Continued

3. Part C-continued

"(b) Membership.— The Advisory Council shall include a minimum of 10 geographically representative parent members and 5 other members appointed by the Secretary, in consultation with State education agencies, State and local parent advisory councils, local operating agencies, the National Association for Migrant Education, the National Association for State Directors of Migrant Education, National Association of High School Equivalency Program (HEP) and College Assistance Migrant Program (CAMP) Directors, and other interested parties.

"(c) Compensation and Expenses.— (1) Members of the Advisory Council who are officers or full time employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States; but they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(2) Members of the Advisory Council who are not officers or full-time employees of the United States may each receive reimbursement for travel expenses incident to attending Advisory Council meetings, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.".

Consortium Grants

Consortium grants have not had the impact of improving coordination among states that share students, nor have they significantly reduced administrative costs or increased resources available for migrant students. The current provision should be eliminated and replaced with competitive incentive grants that will improve coordination among states that share children so that students benefit from continuity in services and curriculum.

Recommendations

- **Eliminate the current provisions for consortium grants.**
- **Create a new interstate incentive grant program called the "Shared Students Incentive Grant Program." for states that share children.**
- **Eliminate the ability of the Secretary to enter into grants with organizations other than SEAs.**

Legislative Language

1. **Subsection 1303(d) is repealed.**
2. **Section 1308 (a) is amended to read as follows:**

"(a) Shared Student Incentive Grants

"(1) In General - The Secretary may make grants to or enter into contracts with State educational agencies or consortia of State educational agencies to improve interstate coordination among such agencies' educational programs, including the establishment or improvement of programs for credit accrual and exchange, and the development of reciprocity across States with respect to curriculum, standards and graduation requirements for migratory children that attend school in more than one State.

"(2) Duration - Grants under this subpart may be awarded for not more than five years.".

Eligibility

Given the scarcity of resources, migrant education funds should continue to be targeted on the neediest populations. Students who are most mobile are also the most at risk of failing in school and dropping out.

In addition to concentrating on the needs of the most actively mobile students, it is essential to develop early intervention strategies so that migrant children start school ready to learn. Research on early childhood learning and brain development conducted by the National Institute of Child and Human Development has been very clear on the importance of early educational experiences in preparing a child for success in school and in life. The Migrant Education Program offers a wide range of services to children and families. Current law provides no funding for children served under the age of 3. Because of the importance of this early childhood period in preparing children for life-long learning, we propose that the Migrant Education Program provide funding for these children.

Recommendations

- **Give priority in funding and services to the students who are most mobile, most at risk, and have suffered the most disruption in schooling.**
- **Begin eligibility for the MEP at birth.**
- **Regulations must be promulgated for eligibility.**

Legislative Language

1. **Section 1303(a) is amended by striking paragraph (1) and inserting in lieu thereof—**

   "(1) the number of migratory children aged birth through 21 who reside in the state for any period of time during the object year, as determined in accordance with subsection (d); multiplied by—"."

Family Literacy

Given the recommendation for beginning eligibility for the MEP at birth, early childhood development programs and family literacy programs, in particular, will help migrant students in their educational development before entering school. Parents participating in family literacy programs will have more tools to be effective first-teachers to their children.

Recommendations

- **Amend the Reading Excellence Act to explicitly include migrant families in literacy activities.**

Legislative Language

1. **Paragraph 1304(c)(6)(C) is amended by inserting after "Even Start" the phrase "and the Reading Excellence Act"."**

Funding

The funding formula for the Migrant Education Program should be simplified. Unduplicated counts are essential to ensuring a fair and equitable distribution of funds under this program. Eliminating the references to full time equivalency will mitigate the need to calculate a summer adjustment and will also serve to concentrate funds on the most mobile students. Every migrant child will count as a whole child in each state where the child in enrolled.

Recommendations

- **Require that students be counted once during a 365 day period.**
- **Eliminate references to FTE.**
- **Require the Department to report to Congress within one year of enactment, the procedures in place for assuring unduplicated state counts.**
- **Eliminate the summer adjustment.**
- **Set the minimum grant level at $150,000. If, after two years, the state has not identified a sufficient number of students and services are not in place, then the grant may be revoked.**

Legislative Language

1. Subsection 1303(a) is amended by inserting a new paragraph (3) to read as follows—

"(3) Minimum State Grants — A) Notwithstanding paragraphs (1) and (2) of this subsection, no State shall receive a grant of less than $150,000.

" (B) If after two years, a State receiving a minimum grant has not identified a sufficient number of migratory students and provided services for such students, the Secretary may revoke or reduce such State's grant.

2. Paragraph 1303(c)(1) is amended by striking subparagraph (B) and inserting in lieu thereof—

"(B) If additional funds become available for making such payments for any fiscal year, the Secretary shall allocate such funds to the States in the same proportions as funds allocated under subsections (a) and (b).

3. In subparagraph (c)(2)(B), strike everything following "migratory children," and insert-in lieu thereof —

"in the same proportions as funds allocated under subsections (a) and (b)."

4. Strike subsection (e) and insert in lieu thereof —

"(e) DETERMINING NUMBERS OF ELIGIBLE CHILDREN-In order to determine the number of migratory children residing in each state for purposes of this section, the Secretary shall —

"(1) for the first two fiscal years following the effective date of this Title, use such information as the Secretary finds most accurately reflects the actual number of migratory children'

"(2) for the third fiscal year following the effective date of this Title, and for each subsequent fiscal year, use information obtained through the vital information channel established under section 1308, provided that no child be counted for any State that has not provided minimum educational and health information as determined by the States under section 1308.

"(3) the Secretary shall establish and report to the Congress within one year of enactment of this Act, the procedures for assuring unduplicated State counts of migratory children.".

APPENDIX D - WRITTEN STATEMENT OF MS. MARGARET REIMANN, STUDENT SUPPORT SPECIALIST, MIGRANT CHILD DEVELOPMENT PROJECT, WESTERN REGIONAL OFFICE, PENNSYLVANIA MIGRANT EDUCATION, BEDFORD, PA

TESTIMONY FOR THE HOUSE COMMITTEE ON EDUCATION AND THE WORK FORCE

July 22, 1999

Presented by: Peggy Reimann, Pennsylvania Migrant Education, Lincoln Intermediate Unit 12 Project Area.

My name is Peggy Reimann. and I want to address you today not only as a representative of Pennsylvania Migrant Education, but also as an educator who has spent the last 20 years developing and implementing family centered education programs . Ten years ago I began to work with Pennsylvania Migrant Education, and I have to say that I have found a home here. I found an adjunct education program with great flexibility, a real tradition of working with families, and a history and structure that fosters a close working relationships with parents. I also found that the migrant community itself was particularly well suited to family centered education programs. In fact, family literacy in many forms has become a cornerstone of Migrant Education in our state since we recognize that parents are often the only stable educational resource in their children's lives. My own work in the field has led me to expand the meaning of family literacy beyond the traditional skills of reading and writing. These are obviously a very important if not critical part of any family centered education program, but they are just a part of the puzzle as we prepare families and children for the world of the 21 century.

My definition starts with what might be called "cultural literacy", the skills of living in this society, in this day and age. This may be everything from how to find good used clothing so children can go to school even when it snows, to how to know what's happening to your child in school. However, even cultural literacy is just a small first step. It is generally recognized that for children to flourish in school today they need a great deal of input from the home - they need to come from a climate of learning and to have parents who actually help them learn. Every one of us who have put our own children through school has spent long hours not only reading to them, but helping them with puzzling math assignments, going over homework, looking through magazines in doctor's offices. Who is to do these essential activities with our migrant children if not their own parents?

We in Migrant Education are aware that we work with one of the populations that is most at risk in this country, a population that is largely undereducated, poor, transient, and isolated geographically and culturally. However, anyone who works with migrant families soon realizes that this is also a community with great strengths, where some of the most important elements for a family centered learning program are already in place and can be tapped into in our efforts to bring migrant children into the educational mainstream. .

In the first place migrant families tend to have strong extended family ties, often as a matter of survival. Fathers are not only present, but working, and often very much in charge. Families travel in groups that may include cousins, grandparents, aunts and uncles. These are families that stick together even when they are far apart. I know this from personal experience. For many years I have made my phone available to the young apple pickers who come into our region. I have watched these young 16, 17 year old boys spend entire evenings tracking their mothers down in some small village in Mexico with only 1 phone for the whole town. They call to see if the money they sent home has arrived. For those of us with adolescent children ourselves, children who seldom call home, except to ask for money, it is quite refreshing to see these young men so far from home, but still so connected to their families.

This is also a community where young children spend a lot of their time with their parents or other adults. And, at least in the Latino community, there is a strong oral tradition. Our migrant children start school having spent much of their formative years surrounded by talkative, expressive, affectionate adults. As we all know these are the very qualities of parenting that form the foundation for the nurturing of language, thought, and self confidence in young children.

Finally there is in the migrant community an old fashioned and very refreshing belief in the American dream - if you just work hard enough and do right you will get ahead, and your children will too. I had this very point articulated to me by a migrant father just recently. He knew, he said, that he would have to do jobs all his life that were way below his capacity and skills, but he was willing to do it because he could see that his three children, would have a very different life from his.

These are the strengths that we use as the foundation for our efforts to bring this all important climate of learning into the homes of migrant children of all ages. There are many ways we do this.
We have made an art form of collecting used children's books for almost nothing, so that we have enough to inundate our children with books and reading material, all of which they are allowed to keep. We distribute literally thousands of books to our children in the course of a year. We carry books in boxes to every home we visit, and encourage children to root through them and pick as many as they want. We mail books to children, using the lure of their own personal mail to give books a special meaning in a child's life. Books also become a link for us with families that have left the region, sending little book packages all over the East Coast.

Once children are hooked on books, we begin a training program for parents - how to use pictures and conversation to teach your child to read (our younger children). With our English speaking parents we also have a program to show them how to turn their older children into fast and skillful readers. We have found that if you bury children in books, and work with parents to get them reading, it is possible to get children up to the ages of about 10 or 11 to read regularly for pleasure. We have also found that it is perfectly possible for parents who do not themselves read to make this happen.

I recently got a call from a father in Kansas to tell me that his son was first in his class in reading. Five years ago when I first met this father, he took me aside and told me that he could not help his son prepare for kindergarten because he and his wife only had a couple of years of education themselves. In the next two years I visited this family perhaps 3 or 4 times annually, bringing books every time and sitting down with father and son. I showed the father how to do a pre reading exercise we call "pointing and naming." We also sent books by mail every month to this family, and spoke to them regularly on the phone. At one point we taught this father several card games to use to help his child learn math facts. Two years later, shortly before they left the region, I was visiting the trailer and the family proudly showed me the book shelf they had had to build for their son so that the toddler in the family couldn't get at his books. She already had her own small shelf with books on it. Shortly thereafter this family moved to Kansas and called with a

new address and phone number, so they could keep getting books in the mail. And now they wanted to let me know that their boy was first in his class in reading and had begun to teach himself to read Spanish..

Our second tool for working with distant and transient families is the telephone. The migrant phone has become an "educational hot line". Just in the last few months calls came in from Florida (A girl who had passed through the area five or more years ago during apple harvest called just to see how I was doing and to tell me she had graduated from high school.), from North Carolina (A mother wanted to ask me to explain a report card and help her talk to her child's teacher about homework.) two calls from the neighboring county (A girl who used to be in our program wanted help with her algebra homework, and a formerly migrant mother "couldn't think of who else to call" when the school threatened to expel her 12 year old son.) As you can see, we have found the phone to be a particularly cost effective way to continue to give families educational input long after they have left our region. .

Perhaps our most important tool for family learning is a training program for parents themselves in how to work with their own children. This curriculum, meant specifically for in home use, teaches parents the art of working with a child one on one. It uses carefully worked out math games, book related activities and an approach to helping children with homework. It is designed to be used by any parent, *even those with little or no English or reading skills.* We have just begun to collect data (grades and test scores) on the academic achievement of children who work through this material with their parents. Anecdotally we are seeing an effect. In one community of about 30 school age children, all from Central American families who arrived in this small central Pennsylvania town three years ago speaking no English, we have been pleased to see that so far no children have been left back, only two are in the special education system (and they arrived here already in the program), and of our last year's crop of kindergarteners, more than half were at grade level or above by the end of the first year.

Finally I would like to say a few words on our approach to teaching English as a second language, ESL. Like most migrant programs we try our best to hook our families into already existing educational programs. We link them up with local literacy councils and with adult education programs. However we have found that often these programs do not meet the needs of our shy, uneducated mothers - the very parents who need English the most to be able to participate in their children's education. Intimidated by

the school like atmosphere of more formal instruction and particularly by a reliance on written materials, they quickly drop out. So we run our own classes with our own curriculum, in the home. Kitchen table ESL, so to speak. These classes include (1) what we call "listening exercises - training to foster the ability to hear English and pick out important words (2) games that teach language and math at the same time for parents and children to play together and (3) a set of patterned speaking exercises that center around the kitchen and food - again that parents and children can do together.

Since I am here today to address the House Committee on Education and the Workplace, I would like to end by pointing out that we in migrant education are working with people who are on the very bottom rungs of the work force. Migrant agricultural work is often the first step for a family into the American economy. It makes a great deal of sense, both economically and socially, to give these people the tools to upgrade themselves and their children. Family literacy programs are by far the best way to do this, the lynch pin of acculturation, as one of our site directors put it.

Finally, I would like for a moment to address the issue of educational strategies for the 21 century, and the important role that family centered education programs have to play in any discussion of the shape of the hi tech education of the future. It is through family centered, parent implemented education programs that we will be able to provide children with the kind of personal, individualized input that is such an important part of the educational process, particularly for children at risk.

Committee on Education and the Workforce

Witness Disclosure Requirement – "Truth in Testimony"
Required by House Rule XI, Clause 2(g)

Your Name: PEGGY REIMANN

	Yes	No
1. Will you be representing a federal, State, or local government entity? (If the answer is yes please contact the Committee)	✓	

2. Please list any federal grants or contracts (including subgrants or subcontracts) which you have received since October 1, 1997:

NONE

	Yes	No
3. Will you be representing an entity other than a Government entity?		✓

4. Other than yourself, please list what entity or entities you will be representing:

PENNSYLVANIA MIGRANT EDUCATION – LINCOLN INTERMEDIATE UNIT 12 PROJECT AREA / WESTERN REGION

5. Please list any offices or elected positions held or briefly describe your representational capacity with each of the entities you listed in response to question 4:

DEVELOP AND IMPLEMENT EDUCATIONAL PROGRAMS IN 23 COUNTIES IN WESTERN PENNSYLVANIA

6. Please list any federal grants or contracts (including subgrants or subcontracts) received by the entities you listed in response to question 4 since October 1, 1997, including the source and amount of each grant or contract:

	Yes	No
7. Are there parent organizations, subsidiaries, or partnerships to the entities you disclosed in response to question number 4 that you will not be representing?	✓	

Signature: _____ Date: _____

Please attach this sheet to your written testimony.

BEST COPY AVAILABLE

PERSONAL INFORMATION: Please provide the committee with a copy of your resume (or a curriculum vitae) or just answer the following questions:

a. Please list any employment, occupation, or work related experiences, and education or training which relate to your qualifications to testify on or knowledge of the subject matter of the hearing:

See attached sheet.

b. Please provide any other information you wish to convey to the Committee which might aid the members of the Committee to understand better the context of your testimony:

Please attach to your written testimony.

BEST COPY AVAILABLE

Resume for Peggy Reimann, Pennsylvania Migrant Education, Lincoln Intermediate Unit 12, Western Region.

Ms. Reimann's formal credentials include a BA Summa Cum Laude from the University of Minnesota, a lifetime California Teaching Credential, and a book published as part of a MacMillan reading series. She also home schooled her own daughter through high school and has specialized in the development and implementation of teaching programs specifically meant to be used in the one on one teaching situation, often by parents themselves. Another long standing interest has been the education (linguistic and otherwise) of non native speakers of English. She has spent time teaching in East Africa, in bi lingual classrooms in California, and she presently works with migrant workers and their children through the Pennsylvania Migrant Education Program. In this capacity she develops and runs family centered education programs, summer schools, and ESL classes (for adults and children) in a 23 county region in southwestern Pennsylvania.

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APPENDIX E - WRITTEN STATEMENT OF MR. JACK PERRY, INTERSTATE MIGRANT EDUCATION COUNCIL, WASHINGTON, DC

Summary of Testimony of John D. Perry
Executive Director of the Interstate Migrant Education Council (IMEC)
on the
Education of Migratory Children
Part C of Title I of the Elementary and
Secondary School Act

Mr, Chairman, thank you for the opportunity to testify about the Education of Migratory Children which is Part C of Title I of the Elementary and Secondary Education Act.

My name is John Perry. I am the executive director of the Interstate Migrant Education Council (IMEC) which is a consortium of seventeen states who advocate on behalf of migrant students. IMEC is a bipartisan group that includes state education board members, state legislators, local superintendents, state migrant education directors, other education agency personnel and parents of migrant students. We have the good fortune to have Congressman Bill Goodling as our National Honorary Chair.

During the last three years IMEC has examined the implementation of the Improving America's School Act (IASA) and how it has affected the education of migrant students. In January 1997 Congressman Goodling spoke to National Forum on Migrant Children and Youth. At that time you encouraged us to provide you recommendations on what works and what needs to be improved in IASA. The written testimony I have enclosed are the positions IMEC has taken. The recommendations are in the form of a series of fact sheets which summarize the background of each issue and our recommendations. I have also submitted today, to the chairman, specific statutory language to amend the current law.

A very strong recommendation we make, that is not a change in the statute, is that the Migrant Education Program should remain a federal categorical program administered by state education agencies. Migrant students are truly

the nation's students for whom local school districts often do not feel responsible. Under the aegis of the federal government, state and local migrant education program personnel have developed means of interstate cooperation to serve migrants. Without the federal government, these cooperative efforts would be diminished.

Through state administration there is the flexibility to meet the changing needs of migrant students and communities in the state. States are able, on an annual basis, to determine the number of students and the locations of students most in need of services so that financial and technical resources may be provided. This topic is discussed in more detail in the first fact sheet I have submitted.

We believe IASA is good legislation. The provisions relating to flexibility, coordination and high academic standards should benefit migrant students. Prior to IASA, migrant students were excluded from many programs in schools. The new law requires inclusion, however, much work has to be done before inclusion of migrant students becomes a universal reality.

We do not propose major changes in the law. We do not want Migrant Education to be isolated from other programs or have any situation that perpetuates discrimination against migrant students or creates barriers to full access to other services within the school. Concurrently, we want to ensure that when educators, especially those who are not migrant educators, are designing and implementing general programs, the needs of migrant students are met. Therefore, the changes we propose are to adjust the balance between flexibility in IASA and the unique needs of migrant students.

Ten Changes In I.A.S.A.

The ten changes we propose in I.A.S.A. are organized into three areas: Challenges to Flexibility, Improving Migrant Student Achievement and Administration of the Program.

Challenges to Flexibility

The first four recommendations that we believe will keep the flexibility of IASA, but will ensure that the unique needs of migrant students are met.

1. Consolidated Planning Process

There is concern that in some states the Migrant Education Program is not included in the development of consolidated plans, but instead, the program director is requested to sign-off on the plan after it has been developed.

Therefore, we recommend that the law should require that in the consolidated planning process, states should provide assurances that the SEA administrator of each of the covered programs has been involved in the design of the plan.

2. Schoolwide Projects

Schoolwide projects are a major concern because an increasing number of migrant students are in schoolwide projects. Through thirty years of experience, the state migrant education programs have developed services that meet the unique needs of migrant students. There is no guarantee that these valuable services will continue when migrant students are served in schoolwide projects.

To correct this potential void, we recommend that in local schoolwide applications the specific needs of migrant students should be stated along with a strategy to meet each need.

3. Transfer of Student Records

There needs to be federal leadership in the transfer of records. States working independently and in ad hoc consortia have not been

able to implement a means of effective transfer of records on an interstate basis nor have they been able to agree on a minimum data set.

Therefore, we recommend that Congress should require the Secretary of Education establish minimum data elements for the timely transfer of student records whenever federal funds are used for this purpose.

4. Data Collection By States

Last year IMEC attempted to survey states on migrant student achievement, but we found very little solid data.

Therefore, we recommend that when states develop standards and an assessment system they be required to include evaluation of programs and services for migrant students. Also, state and local assessments must have test data disaggregated for migrant students.

Improving Migrant Student Achievement

State migrant education programs are concentrating on raising migrant student achievement, but we believe federal law needs to be changed in the following areas to help us in this regard. These changes are in our proposed recommendations numbers 5, 6, 7, 8.

5. Parent and Family Involvement

Migrant educators understand that parents are the one constant in the ever-changing life of migrant students. Regardless of the positive attitude of migrant educators toward parents, migrant education is largely dependent on the policies of local school officials and local Title I staff to have migrant parents involved.

We recommend four changes:

1) There should be specific parental involvement activities for migrant parents similar to current provisions in Title I.

2) There should be a one percent set-aside for parent involvement similar to current provisions in Title I.

3) Current regulations about migrant parents in schoolwide projects should be put into statute

4) There should be a formal procedure for parents to give advice at the federal level.

Family Literacy

Family literacy services should receive a higher priority in law than at present. The goal should be to increase Even Start type services. Funds should be made available to each state migrant education program to coordinate family literacy services. These funds can be dedicated from current appropriations for coordination incentive grants.

6. Technology

More than any other education service, activity or intervention, technology has the potential of permitting migrant students to overcome obstacles in their educational process.

Funds for technology programs for migrant students should be provided on a non-competitive basis, rather than the current competitive basis. Each state, or consortium of states, that meet standards and criteria established by U.S.E.D. should be able to obtain funds. U.S.E.D. should provide technical assistance to help

states prepare applications for grants.

7. Federal Technical Assistance

Migrant education should receive separate funding for technical assistance that meets the unique needs of the program. The migrant education program is different from other programs due to the demographics of the migrant population, the movement of migrant families among states and the interstate relationships among sending and receiving states.

Administration Of The Program

The last two recommendations relate to program administration.

8. Coordination of Federal Programs Serving Migrants

More comprehensive language on coordination should be put into law. The secretaries of departments serving the migrant population should be required to conduct a study and report on barriers to coordination and recommend strategies to over-come the barriers.

9. Funding Formula

The funding formula should remain essentially the same as it is under current law. The provision in current law for an incentive for states to sponsor summer programs is extraordinarily important. This incentive encourages states to provide continuity in children's education during the summer while families are working and traveling.

The Value of Migrant Education

A Federal Program For The Migrant Students Of The Nation

Because migrant students usually attend school in more than one school district, they are frequently not recognized as an individual school's responsibility. Migrant students are truly students of the nation.

Work Ethic Of Migrant Families

"These families move with their children seeking employment in agriculture, fishing and food processing in an uncertain labor market. The children face unique and extraordinary problems in completing their education. The families and students deserve our admiration and support". (Interstate Migrant Education Council, 1999).

MIGRANT EDUCATION FACT SHEET

The Migrant Education Program Should Be A Federal Categorical Program

Historic Need

Congress authorized the Migrant Education Program (MEP) to help meet the needs of migrant students and lessen the problems associated with the educational disruption caused by mobility, the multiple needs due to life style of migrants and the fact that local school districts considered migrant students as non-residents and as such, not their responsibility. These needs still exist.

Federal Programs

Without a federal program and federal funding, few states would continue to offer specific services for migrant students.

Few Regulations

MEP is a state program and is non- bureaucratic with very few federal regulations.

Flexibility to Meet State and Local Needs

States are able, on an annual basis, to determine the number of students and the locations of students that are most in need of services and provide financial and technical assistance resources to assist schools to meet needs of migrant students.

The Migrant Education Program Should Be A Federal Categorical Program

Flexibility to Coordinate with Other Education Programs

Under the consolidated planning process and Title I schoolwide projects permitted under the Improving America's Schools Act (IASA), states and local schools decide how to utilize other federal education funds, along with MEP funds, to best met the unique needs of migrant students.

Interstate Cooperation

Under the aegis of the federal government, state and local migrant education program personnel have developed means of interstate cooperation to serve migrant students. This cooperation is essential for a mobile population, but would probably end if the federal role were removed.

Model Federal Program

Congressman William Goodling said, "The federal Migrant Education program has reduced grade retention for migrant students and increased their graduation rate. This group of students had been neglected for years until the federal program called attention to the unique needs of migrant children. It is one of our better success stories."

Migrant Education Fact Sheet

Consolidated Plans, Schoolwide Projects: Migrant Students Require Unique Services

Improving America's Schools Act (IASA) Is Beneficial Legislation for Migrant Students

Consolidated planning and schoolwide projects provide flexibility and permit the SEA and LEA to bring federal programs into systemic reform. These changes in IASA have benefitted migrant students by reducing the isolation of migrant education from other programs and providing better opportunities for migrant students to meet challenging state standards that all students must meet.

The Challenge of Flexibility - Unique Needs of Migrant Students

The challenge of flexibility is to obtain the benefits of flexibility and still meet the unique needs of special populations such as migrant students. To meet this challenge changes in the legislation are needed.

Recommendations:

1. Consolidated Planning Process

There is concern that in some states the Migrant Education Program is not included in the development of consolidated plans, but instead, the program director is requested to sign-off on the plan after it has been developed. Section 1403, SEA Assurances, should be amended to assure the SEA administrator of each covered program has been involved in the design of the plan.

Consolidated Plans, Schoolwide Projects
Migrant Students Require Unique Services

2. Schoolwide Projects

Schoolwide projects are a major concern because an increasing number of migrant students are in schoolwide projects. Through thirty years of experience, the state migrant education programs have developed services that meet the unique needs of migrant students. There is no guarantee these valuable services will continue when migrant students are served in schoolwide projects. To correct this potential void:

1) states, in their consolidated plans, should recommend strategies to be used in schoolwide projects for migrant students and ensure migrant students needs are met in schoolwide projects;

2) strategies to meet the needs of migrant students should be included in local applications for schoolwide projects;

3) strategies should be based on the most recent academic indicators (e.g., language surveys, tests, student work, grades, etc.) and other relevant support data and input (e.g. student mobility, attendance, student and parent surveys, health/dental referrals, etc.)

Migrant Education Fact Sheet

Transfer Of Student Records

Background

Since the end of the Migrant Student Record Transfer System (MSRTS) in 1994, there has been no national system to transfer student records. States have been working independently and in ad hoc consortia to develop an electronic means to transfer records, but they have not been able to implement a means for effective transfer of records on an interstate basis nor has there been agreement on a minimum data set.

The lack of an effective means to transfer student academic and health records is a major problem in providing effective services for a mobile population.

Recommendations

1. Congress should require the Secretary to establish standards for the timely electronic transfer of records whenever federal funds are used for this purpose.

2. The law should require the Secretary to establish confidentiality procedures to ensure records are used appropriately.

3. States should be required to maintain a data base with up-to-date records on student data as prescribed by the Secretary.

4. Section 1308(a) should be amended to specifically earmark funds to assist states in developing systems for the timely electronic transfer of records.

Migrant Education Fact Sheet

Data Collection By States

Background:

During 1998, IMEC conducted a survey of 29 states to determine migrant student performance. The survey process demonstrated the difficulty of obtaining such data because states are not required to collect the relatively basic data we requested and often states do not disaggregate performance data by subgroups such as migrants. Compounding the aggregation - disaggregation problem was the lack of standardization across and within states in how they collect and reported performance information.

Recommendations:

The law should include the following:

1. States must develop standards and an assessment system which include evaluation of programs and services for migrant students.

2. Migrant students must be included in state and local assessments and there should be reports on how well these students are doing on state standards.

3. State and local assessments must have test data disaggregated for migrant students.

4. SEAs and LEAs should use performance data on migrant students to modify programs to improve student performance of migrant students.

Migrant Education Fact Sheet

Parent And Family Involvement

Background

The Migrant Education Program (MEP) has historically been a leader in involving parents on the state and local level in planning and improving programs and increasing parents' capacity to advocate for their children's interests. At the National Forum on Migrant Children and Youth (1997), evidence was presented that verified the positive aspects of parental involvement by Migrant Education, but also indicated that the quality of parental involvement was inconsistent among and within states.

Migrant educators understand that parents are the one constant in the ever-changing life of migrant students. Regardless of positive attitudes by MEP there are many problems in implementing an effective program:

- MEP is largely dependent on the policies of local schools and Title I local staff to ensure parents are involved.
- In some locations, MEP faces barriers in involving parents if there are only a few migrant students in a school or if the school is insensitive to migrant parents or to all parents.
- A new concern is that schoolwide projects may not effectively involve migrant parents due to a lack of understanding by the school leadership of the unique needs of migrant families.
- Parents may be absent from the community when committee appointments and key decisions are made.

Parent And Family Involvement

Recommendations and Legislative Changes

The following changes in the law will help ensure maximum parent and family involvement for migrant parents. The deleted language is in quotations, the new language is in parentheses.

1. Section 1118 of Title 1, Part A, which details activities for parental involvement, be explicitly stated in Title 1, Part C, and that the phrase, "to the extent feasible" be eliminated in regard to parent involvement in Part C. Section 1304 © (3) delete "to the extent feasible".

2. The regulation, under Schoolwide Programs, Section 200.8, which requires schoolwides to consult with migrant parents and to document the services that are provided, should be moved from regulation and be made part of the statute in Title 1, Part A. Section 1114 (b) (B) (iv) by adding a subpart 111 to read:

   "in consultation with parents of migratory children or organizations representing those parents, first address the identified needs of their migratory lifestyle or are needed to permit migratory children to participate effectively in school; and"

3. There should be a parent involvement funding set aside for Title 1, Part C, similar to the current set aside for Title 1, Part A. For Part C, the set aside should apply to states and sub-grants within states.

4. A formal means should be established in law for parents to be able to give their advice at the national level.

Migrant Education Fact Sheet

Family Literacy

The Need for Family Literacy Services

A primary outcome of the National Forum on Migrant Children and Youth, held in 1997, was the importance of providing family literacy services. It is difficult for adults with limited literacy skills to assist their children to break the cycle of low literacy. The main purpose of family literacy programs is to increase parent literacy and parenting skills so that they in turn can help prepare their children to become successful learners.

Even Start Programs - Limited Availability and High Cost

Even Start programs, which are authorized under Part B of Title I of E.S.E.A., are exemplary programs in providing family literacy services. Because only 3% of Even Start funds are set-aside for Migrant Even Start, a very small percent of eligible migrant families receive such services. It would be virtually impossible for State Migrant Education Programs to exactly replicate Migrant Even Start, because the cost of about $4,000.00 per family is prohibitive.

Goal

The goal should be to increase Even Start type services. These services would not have the "intensity" of Even Start programs, but they would provide a focus and organized effort to meet some of the objectives of Even Start.

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Family Literacy

Recommendations and Legislative Changes

1. In Section 1301, Program Purpose, state that a purpose of the program is to provide family literacy services to meet the needs of migrant children and their families.

2. In Section 1304 c) (6)(c), eliminate phrase "to the extent feasible" in relationship to family literacy programs.

3. State in the legislation that program funds may be used to identify and provide services to meet the literacy needs of parents.

4. In Title 1, Part A, stipulate similar requirements and encouragement for family literacy services.

5. In Title I, Part B, Even Start, require that Even Start programs provide replicative programs and strategies to schools in their state. Require that Migrant Even Start programs provide such programs and strategies to the state Migrant Education Programs.

6. In Section 1308, Coordination of Migrant Education Activities, set aside funds sufficient for each state to establish a coordination process to seek funds and services from other entities for family literacy services for migrant families.

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Migrant Education Fact Sheet

Technology

Background:

Equal access to technology is of special importance to migrant students. Due to their family's work and mobile life style, migrant students are often separated from the mainstream of the community. If migrant students do not have access to technology, equal to all students, it will be virtually impossible for them to achieve high state standards. If the gap in access to technology widens between migrant students and the general population it will be catastrophic for migrant students.

More than any other educational service, activity or intervention, technology has the potential of permitting migrant students to overcome obstacles in their educational process. Technology is probably the most important tool in helping migrant students achieve educational equity. It can enhance migrant students' education and provide them the opportunity to accelerate through educational programs.

Technology Challenge Grants for Migrant Education:

These grants from funds authorized under Title III of E.S.E.A.have provided services and models for the six projects that were awarded the grants. States, who may have not had the expertise or staff time to write successful grants, receive no benefit from these funds.

Recommendations:

1. Funds should be provided on a non-competitive basis to each state that meets standards and criteria established by U.S.E.D.

Technology

2. The Office of Migrant Education should provide technical assistance for states to meet the standards and criteria to prepare applications for grants.

3. A minimum of 20 percent of grant funds should be dedicated to staff training.

4. U.S.E.D. should develop descriptions of promising practices in the use of technology for migrant students.

Migrant Education Fact Sheet

Federal Technical Assistance To State Migrant Education Programs

Background

Prior to 1994, there were Program Coordination Centers (PCCs) funded by the Migrant Education Program that provided technical assistance to state migrant education programs. The PCCs' services were only for migrant education and the staff developed a familiarity of the nuances and need of each state program. Also, the PCCs were organized according to the demographics of the migrant population. With the enactment of IASA, the migrant education PCCs were folded into the Comprehensive Regional Assistance Centers (CRACs).

Issues

1. The CRACs may have difficulty developing expertise focused on migrant education.
2. CRACs are not organized according to the demographics of the migrant population.
3. Services to state migrant education programs are not comparable throughout the nation.
4. CRACs have not been adequately funded.

Recommendations

In reauthorizating Title XIII, Support and Assistance to Programs to Improve Instruction, a subsection should be added similar to Section 13401(b), Services to Indians and Alaska Natives, that applies to state migrant education programs.

Migrant Education Fact Sheet

Coordination Of Federal Programs Serving Migrant Families

Goal:

All federally funded providers of services to migrant families should coordinate activities , where applicable, in order to reduce costs, increase efficiencies and make it simpler for the recipient to receive services.

Barriers to Coordination:

There are tremendous difficulties in coordination among Migrant Education, Migrant Head Start and Migrant Health.

- The programs are in different federal departments.
- The programs are relatively small, do not have extensive staff and may have difficulty obtaining approvals through their respective bureaucracies.
- The programs are authorized under different laws.
- Jurisdiction in Congress is among different committees.
- Most importantly, Migrant Education is the only program administered at the state level while the other programs are administered at the federal level and through grantees.

Recommendations

1. Coordination process must be written into all legislation for programs that serve migrant families and procedures for

coordination must be specific and measurable.

2. Congress should require the Secretaries of Education, Health and Human Services and Labor to prepare a report that identifies barriers to coordination and develop strategies to overcome the barriers.

   The report could include the following activities:

   1. identification of barriers to coordination;
   2. description of processes to overcome barriers;
   3. a guide for state, regional and local levels for coordination;
   4. an examination of issues of confidentiality to determine if they inhibit coordination;
   5. investigation of the possibility of developing jointly funded programs;
   6. investigation of the possibility of joint applications;
   7. publication of models of coordination;
   8. examination of

      a. California's Coordinated Compliance Review Program;

      b. California's Healthy Start Program;

Coordination Of Federal Programs
Serving Migrant Families

c. Pennsylvania's Agriculture and Human Resource Manual;

9. development of a model memorandum of understanding;

10. securing assistance from Comprehensive Assistance Centers to implement solutions;

11. development of reporting mechanisms.

Migrant Education Fact Sheet

Formula For Distribution Of Grants To States

BACKGROUND

Prior to 1995, when the Migrant Student Record Transfer System (MSRTS) existed, it was possible to provide grants to states based on an annual count of full time equivalent students (FTE's). Since 1995, states have received grants based on a count of eligible students residing in the state the previous year and a count of students receiving summer school or intersession services adjusted by a factor relating to 1994 FTE count. The 1994 FTE count is out-of-date and without a national data collection system, such as MSRTS, it is impractical to count current FTE's.

RECOMMENDATION

The formula should be simplified by deleting references to FTE's.

The grants to states should be based on a count of both the number of identified eligible students, aged 3 through 21, residing in the state the previous year and those eligible students who received services in summer or intersession programs.

Committee on Education and the Workforce
Witness Disclosure Requirement "Truth in Testimony"
Required by House Rule XI, (Clause 2(g)

Your Name:		
1. Will you be representing a federal, State, or local government entity'? (If the answer is yes please contact the Committee).	Yes	No X
2. Please list any federal grants or contracts (including subgrants or subcontracts) which you have received since October 1. 1997:		
3. Will you be representing an entity other than a Government entity?	Yes X	No
4. Other than yourself please list what entity or entities you will be representing: The Interstate Migrant Education Council (IMEC)		
5. Please list any offices or elected positions held or briefly describe your representational capacity with each of the entities you listed in response to question 4: Executive director		
6. Please list any federal grants or contracts (including subgrants or subcontracts) received by the entities you listed in response to question 4 since October 1, 1997, including the source and amounts of each grant or contract: Each state receives grants under Title I, Part C, The Education of Migratory Children, of E.S.E.A.		

7. Are there parent organizations, subsidiaries, or partnerships to the entities you disclosed in response to question number 4 that you will not be representing?	Yes	No

Signature: John D. Perry Date: 7/16/99

Please attach this sheet to your written testimony.

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PERSONAL INFORMATION: Please provide the committee with a copy of your resume (or a curriculum vitae) or just answer the following questions:

a. Please list any employment occupation, or work related experiences, and education or training which relate to your qualifications to testify on or knowledge of the subject matter of the hearing.

Executive director, Interstate Migrant Education Council (IMEC)

b. Please provide any other information you wish to convey to the Committee which might aid the members of the Committee to understand better the context of your testimony:

These are the consensus views of the 51 members of IMEC who are appointed by the chief state school officer of each of the 17 member states that represent about 65% of the nation's migrant population.

Please attach to your written testimony.

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APPENDIX F - WRITTEN STATEMENT OF MR. DALE NISWONGER, CONSULTANT, NEGLECTED/DELINQUENT PROGRAM, KENTUCKY DEPARTMENT OF EDUCATION, FRANKFURT, KY

Congressional Testimony

July 22, 1999 - Washington D.C.

Presented To:

The House Education and Workforce Committee
U.S. House of Representatives
H2-230 Ford House Office Building
Washington, D.C. 20515

Prepared By:

Dale Niswonger
Education Program Consultant
Kentucky Department of Education
Frankfort, KY 40601 (502) 564-3791

Title I, Part D, Prevention and Intervention Programs For Children and Youth Who Are Neglected and Delinquent, Or At Risk of Dropping Out

Mr. Chairman, I appreciate the invitation to come before this committee today to share with you some of the good things that are happening with Title I, Part D programs in Kentucky. My name is Dale Niswonger. I am an Education Program Consultant for the Kentucky Department of Education in Frankfort, Kentucky. For the past two years, I have worked with Title I, Part D, Subparts 1 , 2, and 3.

The Elementary and Secondary Education Act of 1965, as amended by the Improving America's School Act, provides funding under Title I, Part D for educational services to neglected and delinquent youth. The present legislation contains two basic programs: Subpart 1 and Subpart 2. Subpart 1 provides supplemental educational

services to State Agency Children who reside in institutions, attend day treatment programs, or those under the age of 21 in adult correctional facilities. Subpart 2 provides funding to local education agencies *(LEAs)*, which have high concentrations of delinquent youth in locally operated correctional facilities.

Kentucky has experienced considerable success with its Title I, Part D programs. The Kentucky General Assembly enacted sweeping education reform initiatives with the *Kentucky Education Reform Act of 1990*. The corner stone of this legislation was built on the premise that ***all*** children could learn at high levels. This philosophy is fully embraced by federally funded educational initiatives in Kentucky. Title I, Part D is no exception. The General Assembly enacted legislation to form a statewide collaborative for state agency children to ensure that neglected and delinquent youth were held to the same high state standards as all other students. Neglected and delinquent students who receive services under Title I, Part D are included in the Commonwealth Accountability Testing System *(CATS)*.

The Kentucky Department of Education, under a contract with the Kentucky Department of Juvenile Justice and the Kentucky Educational Collaborative for State Agency Children *(KECSAC)*, provides Title I, Part D, Subpart 1 services to 38 programs throughout the state with an adjusted enrollment of 1,506 students. Kentucky's Subpart 1 program with the Kentucky Department of Adult Corrections provides Title I services to 14 adult correctional facilities with an adjusted enrollment

of 134 students. The entire Subpart 1 program serves 1,640 eligible Title I students in Kentucky.

The Kentucky Department of Education has done several things to enhance the effectiveness of the Subpart 1 program in Kentucky.

1. High Expectations

The Kentucky Department of Education has high expectations for all students. This includes state agency children who receive services through Part D programs. Kentucky requires that state agency students served through the Kentucky Department for Juvenile Justice be held to the same challenging state content standards as all other students in the state. Residential and day treatment educational staff are employed by the local education agency. Each LEA is encouraged to make curriculum decisions around *"Kentucky's Curriculum Framework."*

2. Effective Transition

Subpart 1 has been a very successful program but is grossly under-funded. The Subpart 1 statute allows for the state agency to designate up to 10% of the annual allocation to be used for transitional services. Kentucky has never utilized this 10% designation because all the funds were needed to operate the educational programs.

After completing a Subpart 1 program, transition is one of the most important elements to ensure student success

To address the important issue of transition, Kentucky has developed an *Educational Passport* to increase the success of subpart 1 students who transition back to their school of origin.

Many Subpart 1 students who are released from a residential program take between one to three weeks to get re-enrolled back in their school or origin. The *Educational Passport* is a single-page document that is completed by the Subpart 1 program and sent immediately to the receiving school. This allows the school to prepare for the student's arrival. Someone at the receiving school---usually a counselor or some other designated person---will either go the student's home or call the student to arrange for a quick enrollment. That school person---often called a bridge coordinator---will assist the student in acclimating the student back into the school. The bridge coordinator also arranges for special services the student may need. With Kentucky's sweeping education reform initiatives, students have access to extended school services, youth service centers, and a host of other support services to ensure academic and social success.

3. Increased Colloboration

With the passage of legislation establishing the Kentucky Educational Collaborative for State Agency Children, all the stakeholders are involved in the success of Subpart 1 students. Treatment staff of the residential facilities work closely with the educational staff. The State Education Agency is closely involved with program development and evaluation. Parents are notified of student progress and are encouraged to participate. The school of origin is an important stakeholder and is actively involved.

4. **Professional Development**

Kentucky tries to be proactive in its efforts to retool the educational staff that works with Subpart 1 students. The SEA---in collaboration with KECSAC, develops an annual professional development schedule to address this important area. Workshops are provided to show teachers different approaches to experiential learning, enhancing engaged instruction, and reducing the use of programmed instruction and worksheets, etc.

5. **LEA Acceptance of Troubled Students**

One of the problems that most Subpart 1 students face is acceptance in their school of origin after being released from a day treatment program or a residential facility. Unfortunately, these students often face a problem with acceptance when they return to the regular classroom. In Kentucky, use of the Educational Passport and the bridge

coordinator has been most effective in relieving this problem. Much more needs to be done to educate the local school in how to deal with this difficult population.

Concluding Comments

The Kentucky Department of Education would like to suggest a change in how state allocations are determined.. An annual count is conducted by each State Education Agency of eligible students and submitted to USDE. By statute, the state agency must determine one date for all programs to conduct the count. Kentucky would like to suggest that three dates we selected and an average of these dates be used for the enrollment count. When only one day can be used for the annual count, some programs are unduly penalized and suffer a much lower allocation. By averaging the three highest days, all programs could compete more fairly.

APPENDIX G - WRITTEN STATEMENT OF REPRESENTATIVE DENNIS KUCINICH, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC

Opening Statement
Rep. Dennis J. Kucinich
Committee on Education and the Workforce: "Helping Migrant, Neglected, and Delinquent Children Succeed in School"
July 22, 1999

Thank you, Mr. Chairman. We come together today to examine two specific education programs that serve two groups of students. Our focus lies on the needs and barriers of Migrant and Neglected and Delinquent students.

Title I, Part D of the Elementary and Secondary Education Act (ESEA) authorizes two programs that assist in the operation of educational programs for youth in institutional or community day programs and provide funding for children in locally operated correctional facilities, as well as non-institutionalized at-risk youth. The funding supports intervention programs for pregnant and parenting teens, gang members, dropouts, limited English proficient students, immigrants and migrants.

These students are truly isolated and at a disadvantage. On average, delinquent and neglected students are three years behind in grade level and lack good job skills. Many of these students, due to emotional, family, or economic problems, do not see the importance and need of an education. These programs yield students the tools to reach their potential and success.

Migrant students face very similar barriers and also need the "tools' to be successful, which are not always afforded to them because of their constant migration. Migrant students should have the same opportunities as other students who have a stable permanent home and community. An overwhelming number of migrant children are characterized by poverty, limited English proficiency, health problems and social isolation. Thus, it is important to provide programs that are supportive and enhance academic achievement.

Migrant students are known as students of the Nation because of their constant change of schools. With this in mind, I welcome today's testimony and ask the committee to take responsibility for our Nation's students by insuring the resources to obtain a quality education.

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APPENDIX H - WRITTEN STATEMENT OF RANKING MEMBER WILLIAM CLAY, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC

Statement of
the Honorable William L. Clay
Ranking Member, Committee on Education and the Workforce
Hearing on Migrant Education and the Neglected and Delinquent Program
July 21, 1999

GOOD MORNING, I AM PLEASED TO JOIN CHAIRMAN GOODLING AT TODAY'S HEARING ON THE MIGRANT EDUCATION AND NEGLECTED AND DELINQUENT PROGRAMS IN THE ELEMENTARY AND SECONDARY EDUCATION ACT. I KNOW THAT BOTH OF US ARE

LOOKING FORWARD TO THE TESTIMONY OF THE WITNESSES.

BOTH THE MIGRANT EDUCATION AND NEGLECTED AND DELINQUENT PROGRAMS FULFILL VITAL ROLES IN ADDRESSING THE QUALITY OF EDUCATION FOR MIGRANT STUDENTS AND THOSE STUDENTS WHO ARE IN THE JUVENILE JUSTICE SYSTEM OR

THOSE WHO ARE AT RISK OF DROPPING OUT. BOTH OF THESE POPULATIONS NEED AND DESERVE OUR SUPPORT.

MIGRANT STUDENTS ARE OFTEN SOME OF OUR MOST DISADVANTAGED CHILDREN IN OUR PUBLIC SCHOOLS. MOVING FROM WORK SITE TO WORK SITE, THE EDUCATION OF MIGRANT CHILDREN IS IN A

CONSTANT STATE OF UPHEAVAL, LEADING TO A RISK OF ACADEMIC FAILURE.

ONE OF THE CRITICAL ISSUES WHICH THIS COMMITTEE MUST ADDRESS DURING REAUTHORIZATION OF THE TITLE I, PART C PROGRAM IS THE ISSUE OF STUDENT RECORDS. SINCE THE TERMINATION OF THE MIGRANT

STUDENT RECORD TRANSFER SYSTEM SEVERAL YEARS AGO, THE ORDERLY AND EFFICIENT TRANSFER OF MIGRANT STUDENT RECORDS HAS BEEN LOST.

THE TRANSFER OF RECORDS IS A NATIONAL PROBLEM THAT MUST BE RESOLVED SO WE CAN ENSURE THAT MIGRANT

STUDENTS ARE GETTING THE EDUCATIONAL SERVICES THAT ARE APPROPRIATE.

OUR CHILDREN WHO ARE AT RISK OF DROPPING OUT CHALLENGE OUR EDUCATIONAL SYSTEM AND NEED SPECIAL INTERVENTION. THE PART D, NEGLECTED AND DELINQUENT PROGRAM SEEKS TO ASSIST STATES AND LOCALITIES IN

EDUCATING THIS VULNERABLE POPULATION.

IT IS MY HOPE THAT WE CAN FURTHER STRENGTHEN THIS IMPORTANT PROGRAM SO THE APPROPRIATORS CAN FINALLY PROVIDE THE RESOURCES THAT IT DESERVES.

THANK YOU MR. CHAIRMAN.

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Office of Educational Research and Improvement (OERI)
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